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COMMITTEE PRINT

BACKGROUND MATERIALS
CONCERNING
CHILD AND FAMILY SERVICES ACT, 1975
S. 626

PREPARED BY THE
SUBCOMMITTEE ON CHILDREN AND YOUTH
OF THE
COMMITTEE ON LABOR AND
PUBLIC WELFARE
UNITED STATES SENATE



MARCH 1976



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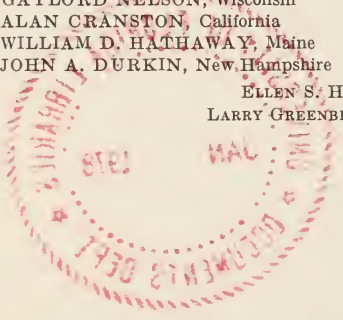


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I. LETTER OF TRANSMITTAL

United States Senate

COMMITTEE ON
LABOR AND PUBLIC WELFARE
WASHINGTON, D.C. 20510

March 3, 1976

Honorable Harrison A. Williams
Chairman
Committee on Labor and Public Welfare
Washington, D.C. 20510

Dear Mr. Chairman:

For several years a number of us in Congress have worked hard to enact legislation designed to provide poor children and children of working parents with necessary education, health and child care services that their families have been unable to provide.

We have held many hearings which have documented the need for this type of legislation and which have demonstrated the concern of many parents, professional organizations and members of Congress for the children who lack these services.

The Child and Family Services Act, which is pending before the Subcommittee, represents an attempt to develop programs to meet these demonstrated needs.

In recent months this proposed legislation has become the target of a highly misleading and unfair campaign to convince the American people that it would somehow undermine the authority of families to raise their own children. This campaign has become so strong and so widespread that members of the Senate are receiving many thousands of letters every week from persons expressing concern about the false allegations.

Because of the great public misunderstanding which has developed, I believe the Committee has a responsibility to provide the fullest and most complete, accurate information available to those who have expressed an interest in the bill.

For this reason, I recommend that the Committee print a committee document which includes the text of the bill, a response to the allegations about the bill, statements of members of Congress, articles from the press, and other relevant materials. I believe that such a document would be most useful to the committee in the coming months.

Sincerely

Walter F. Mondale, Chairman
Subcommittee on Children & Youth



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II. FOREWORD

Over the last several months, Senators and Congressmen have received an enormous volume of mail in opposition to S. 626, the Child and Family Services Act. Most of the opposition to this bill has been based on totally inaccurate information which has been circulated in the form of an anonymous unsigned flyer to persons in communities throughout the country. This flyer cites provisions which have never been part of S. 626, which have never been considered by this committee, and it erroneously interprets or cites out of context other provisions. For purposes of accurate public information on this bill and to foster fully informed public debate, the committee is making available this document which includes the text of the bill, responses to allegations made about the bill, statements of Members of Congress, and other relevant materials. I am hopeful that this document will serve to allay the concerns expressed by people throughout the country and will assist the efforts of the committee to assure that debate on this bill takes place in a truthful atmosphere.

HARRISON A. WILLIAMS, Jr., *Chairman.*

FOREWORD

For the past 5 years, I have been working with many Members of Congress to enact legislation that would make available—on a totally voluntary basis—health, education and child care services for many American families and children.

The legislation would offer a wide variety of services designed to strengthen and support families and children, including prenatal health care, early health screening and treatment to identify handicapping conditions, part-day preschool programs like nursery school and Headstart, home care, or in some cases, day care for children of working parents.

This legislation is designed to meet the needs of poor families whose children often cannot obtain decent care and the needs of working parents who often cannot afford adequate assistance for their children.

This legislation was the number one priority identified by the over 2,000 delegates to the 1970 White House Conference on Children convened by former President Nixon. It passed the Congress by overwhelming bipartisan margins in 1971 only to be vetoed by the President. A revised version passed the Senate by a vote of 73 to 12 in 1972, and during the past year we have had 12 days of joint House-Senate hearings on a further revised version.

This bill is supported by a wide range of civic and religious organizations, including the National Conference of Catholic Charities, the United Methodist Church, the Baptist Joint Committee on Public Affairs, the UAW, and AFL-CIO, the PTA, the League of Women Voters, and the American Home Economics Association. The Archbishop of St. Paul and Minneapolis, Reverend Roach, has stated on behalf of all Minnesota Catholic Bishops that the "bill would fill an urgent need."

Incredibly, this bill is now the subject of a totally fraudulent propaganda campaign in Minnesota and other States—a campaign being waged primarily through unsigned literature. It is fraudulent because it includes claims that have nothing to do with this bill.

The literature alleges that provisions of a so-called Charter of Children's Rights—which actually was drafted in Britain—are part of this bill.

It claims that this bill somehow would undermine religious instruction and would somehow take the authority for child rearing from families and turn it over to the State.

These allegations and claims are totally without foundation. If any of these allegations were true, I would be the first to oppose the bill.

Sixteen Protestant, Catholic and Jewish organizations who examined the bill concluded that "these charges are totally inaccurate" and that the bill would "strengthen and support families."

Dr. John W. Baker of the Baptist Joint Conference stated that the bill would strengthen the American family.

Because these dishonest allegations are so widespread and because they have caused considerable concern among many decent Americans, I have requested that a Committee document be prepared which includes the widely circulated flyer attacking this bill, the bill itself, and related materials prepared in response to these attacks.

I want to emphasize that it has never been my desire to limit debate about this legislation, or to stifle criticism of it. Indeed, when I introduced this bill I stated that "nothing in this bill is etched in stone." In fact, throughout the hearings on the bill we specifically have invited witnesses representing a wide range of viewpoints, including individuals and organizations who oppose the bill entirely.

Clearly, reasonable people can and do disagree about many aspects of this proposal. How much funding, if any, can we afford for a program of this kind given the budget deficit which exists? What is the appropriate federal role, if any, in the provision of child and family services? What services if any should be offered and how can they be administered effectively and efficiently? What are the appropriate roles, if any, for public schools, and for profit making day care programs in legislation of this kind? These are the kinds of questions the Congress and the American public must debate and resolve during the consideration of a proposal of this nature. They are precisely the kinds of issues that the Subcommittee addressed in its hearings, and one on which we deliberately invited witnesses with differing viewpoints to testify.

But, issues such as these must be debated on the basis of facts, not fiction. And, decisions about them and the proposal in general must be decided on the merits. To approach this issue otherwise—especially in a way that totally misrepresents and distorts the purposes and provisions of the legislation under consideration—is a disservice to all Americans concerned about families and children.

WALTER F. MONDALE,
Chairman, Senate Subcommittee on Children and Youth.

III. TEXT OF S. 626 WITH AMENDMENTS

(XI)

Amendments Proposed by Mr. Mondale to the Child and Family Services Act

On February 7, 1975, the Child and Family Services Act was introduced in the Senate. Since then questions have been raised about the meaning of certain terms used in the proposed legislation.

One area of concern has been the definition of the term "parent." The definition of parent was included in the bill solely to clarify—in the case of children who are living with a guardian or in foster care—who is eligible to serve on the parent controlled boards which govern, select and establish any programs under this act.

That definition described a parent as "any person who has primary day to day responsibility for any child." Opponents of the legislation have seized upon this definition and mistakenly alleged that it would somehow transfer the rights and responsibilities of natural parents to school teachers or day care workers who care for the child perhaps 30 or 40 hours per week.

In order to underscore and clarify the intent of this legislation—which has the effect of defining a parent as a natural parent except in cases of legal guardianship or foster care—I have introduced an amendment which states unequivocally that: "nothing in this act shall alter or interfere in anyway with the rights and responsibilities of parents."

Some persons have also raised questions about a provision of the bill which states that any program made available under the legislation should be offered through a partnership of parents, state and local governments and the Federal government. This phrase, which is part of a much longer statement in section 2(b), was designed simply to underscore the intention that any program offered under the bill include parent involvement and control. Specifically, this phrase was included to clarify the intent of this bill that any program funded under it would not be operated by some insensitive and remote government bureaucracy.

Yet this phrase has been taken out of context and alleged to mean that parents and the Federal government would somehow become "partners" in child rearing.

This allegation is obviously inaccurate and dishonest. Yet, it has caused concern to many decent Americans who have not seen this phrase in context, or understood its legal effect.

For this reason, I have offered an amendment to clarify that sponsors of this legislation have no desire to establish the kind of partnership which has been mistakenly alleged. The amendment would delete this phrase—"through a partnership of parents, state and local government and the Federal government"—from the Act.

A copy of the text of the "Child and Family Services Act," showing the proposed amendments follows.



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No. 17

Senate

FRIDAY, FEBRUARY 7, 1975

S. 626

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Child and Family Services Act of 1975".

STATEMENT OF FINDINGS AND PURPOSE

SEC. 2. (a) The Congress finds that—

(1) the family is the primary and the most fundamental influence on children;

(2) child and family service programs must build upon and strengthen the role of the family and must be provided on a voluntary basis only to children whose parents or legal guardians request such services, with a view toward offering families the options they believe are most appropriate for their particular needs;

(3) although there have been increased services for children of working mothers and single parents and although Headstart and similar programs have provided supplemental educational and other services for children, such services have not been made available to families to the extent that parents consider necessary, there are many other children whose parents are working full or part time without adequate arrangements for their children, and there are many children whose families lack sufficient resources who do not receive adequate health, nutritional, educational and other services;

(4) it is essential that the planning and operation of such programs be undertaken as a partnership of parents, community, private agencies and State and local government with appropriate supportive assistance from the Federal Government.

(b) It is the purpose of this Act to provide a variety of quality and family services in order to assist parents who request such services, with priority to those preschool children and families with the greatest economic or human needs, in a manner designed to strengthen family life and to insure decisionmaking at the community level, with direct participation of the parents of the children served and other individuals and organizations in the community interested in child and family service (making the best possible use of public and private resources), ~~the partnership of parents, State and local government and the Federal Government, building upon the experience and success of Headstart and other existing programs.~~

AUTHORIZATION OF APPROPRIATIONS

SEC. 3. (a) For the purpose of providing training, technical assistance, planning, and such other activities as the Secretary deems necessary and appropriate to plan for the implementation of this Act, there is authorized to be appropriated \$150,000,000 for the fiscal year ending June 30, 1976, and \$200,000,000 for the fiscal year ending June 30, 1977, to be allocated as prescribed in section 103.

(b) There is authorized to be appropriated \$500,000,000 for the fiscal year ending

June 30, 1977, and \$1,000,000,000 for the fiscal year ending June 30, 1978, except that no funds are authorized to be appropriated for either fiscal year, unless funds appropriated to carry out the Project Headstart program described in section 222(a)(1) of the Economic Opportunity Act of 1964 for such year, or for any successor program are at least equal to the greater of (1) the amount appropriated to carry out such program for the fiscal year ending June 30, 1975, or (2) the amount appropriated to carry out such program for the fiscal year ending June 30, 1976. Any such amounts appropriated for a fiscal year which are not obligated at the end of such fiscal year shall remain available for obligation until expended.

FORWARD FUNDING

SEC. 4. (a) For the purpose of affording adequate notice of funding available under this Act such funding for grants, contracts, or other payments under this Act is authorized to be included in the appropriations Act for the fiscal year preceding the fiscal year for which it shall be available for obligation.

(b) In order to effect a transition to the advance funding method of timing appropriation action, subsection (a) shall apply notwithstanding that its initial application will result in the enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year.

TITLE I—CHILD AND FAMILY SERVICE PROGRAMS

OFFICE OF CHILD AND FAMILY SERVICES;

SPECIAL COORDINATING COUNCIL

SEC. 101. (a) The Secretary shall take all necessary action to coordinate child and family service programs under his jurisdiction. To this end, he shall establish and maintain within the Office of the Secretary of the Department of Health, Education, and Welfare an Office of Child and Family Services administered by a Director appointed by the President with the advice and consent of the Senate, which office shall assume the responsibilities of the Office of Child Development and shall be the principal agency of the Department for the administration of this Act.

(b) A Child and Family Services Coordinating Council, consisting of the Director of the Office of Child and Family Services established under subsection (a) (who shall serve as chairperson), and representatives from the Federal agencies administering the Social Security Act and the Elementary and Secondary Education Act of 1965 and from the National Institute of Education, the National Institute of Mental Health, the National Institute of Child Health and Human Development, the Office of Economic Oppor-

*Stricken material in section 2(b) deleted by Amdt. No. 1388 introduced by Mr. Mondale, Feb. 5, 1976.

tunity, the Department of Labor, and other appropriate agencies, shall meet on a regular basis, as they may deem necessary, in order to assure coordination of child and family service activities under their respective jurisdictions so as to assure—

(1) maximum use of available resources through the prevention of duplication of activities;

(2) a division of labor, insofar as is compatible with the purposes of each of the agencies or authorities specified in this paragraph, to assure maximum progress toward the achievement of the purposes of this Act;

(3) the establishment and maintenance of procedures to insure that each office or agency of the Federal Government conducting child and family services and related activities is aware of the administrative actions of other offices or agencies with respect to the provision of financial assistance to eligible applicants; and

(4) recommendation of priorities for federally funded research and development activities related to the purposes of this Act.

FINANCIAL ASSISTANCE

Sec. 102. (a) The Secretary of Health, Education, and Welfare, through the Office of Child and Family Services, shall provide financial assistance for carrying out child and family service programs for children and their families under this title to prime sponsors (including educational agencies) and to other public and private nonprofit agencies and organizations pursuant to applications and plans approved in accordance with the provisions of this title.

(b) Funds available for this title may be used (in accordance with approved applications and plans) for the following services and activities:

(1) planning and developing child and family service programs;

(2) establishing, maintaining, and operating child and family service programs, which may include—

(A) part-day or full-day child care programs, in the child's own home, in group homes, or in other child care facilities, which provide the educational, health, nutritional, and social services directed toward enabling children participating in the program to attain their maximum potential;

(B) other health, social, recreational, and educational programs designed to meet the special needs of children and families including before- and after-school and summer programs;

(C) family services, including in-home and in-school services, and education and consultation for parents, other family members functioning in the capacity of parents, youth, and prospective and expectant parents who request assistance in meeting the needs of their children;

(D) social services including information, consultation and referral to families that request such services to help them determine the appropriateness of child and family services and the possibility of alternative plans;

(E) (i) prenatal and other medical care including services to expectant mothers who cannot afford such services, designed to help reduce malnutrition, infant and maternal mortality, and the incidence of mental retardation and other handicapping conditions, and (ii) postpartum and other medical services to recent mothers;

(F) programs designed (i) to meet the special needs of ethnic groups, including minority groups, Indian, migrant children, and children from families with special language needs, and (ii) to meet the needs of all children to understand the history and cultural backgrounds of ethnic groups including minority groups which belong to their communities and the role of members of such groups in the history and cultural

development of the nation and the region in which they reside;

(G) food and nutritional services;

(H) diagnosis, identification, and treatment of visual, hearing, speech, medical, dental, nutritional, and other physical, mental, psychological and emotional barriers to full participation in child and family service programs;

(I) special activities designed to identify and ameliorate identified physical, mental, and emotional handicaps and special learning disabilities as an incorporated part of programs conducted under this title;

(J) programs designed to extend child and family service gains (particularly parent participation) into kindergarten and early primary grades, in cooperation with local educational agencies;

(K) other such services and activities as the Secretary deems appropriate in furtherance of the purposes of the Act;

(3) rental, lease or lease-purchase, mortgage amortization payments, remodeling, renovation, alteration, acquisition and maintenance of necessary equipment and supplies, and to the extent authorized in section 109, construction or acquisition of facilities, including mobile facilities;

(4) preservice and inservice education and training for professional and paraprofessional personnel, including parents and volunteers, especially education and training for career development and advancement;

(5) staff and other administrative expenses of child and family service councils established and operated in accordance with section 105, and of parent policy committees established and operated in accordance with section 107; and

(6) dissemination of information in the functional language of those to be served to assure that parents are well informed of child and family service programs available to them and may participate in such programs.

(c) Assistance under this title shall be made only for a program which

(1) provides for establishing and maintaining a parent policy committee to be composed of parents of children served by such program, which shall directly participate in the development and operation of such program (as described in section 107),

(2) provides for the regular and frequent dissemination of information to assure that parents of children served by such program are fully informed of program activities, and

(3) provides for regular consultation with the parents of each child regarding their child or children's development, with ample opportunity for such parents to observe and participate in their children's activities.

Sec. 103. (a) (1) From the amounts available for planning and carrying out child and family service programs under this title the Secretary shall reserve the following:

(A) not less than 10 per centum of the total amount available for carrying out this title, which shall be made available for the purposes of section 102(b) (2) (i) of this title (relating to special activities for handicapped children.);

(B) not less than that proportion of the total amount available for carrying out this title as is equivalent to that proportion which the total number of children of migrant agricultural workers bears to the total number of economically disadvantaged children in the United States, which shall be apportioned among programs serving children of migrant agricultural workers on an equitable basis;

(C) not less than that proportion of the total amount available for carrying out this title as is equivalent to that proportion which the total number of children in Indian tribal organizations bears to the total number of economically disadvantaged children in the United States, which shall be apportioned among programs serving chil-

dren in Indian tribal organizations on an equitable basis;

(D) not more than 5 per centum of the total amount available for carrying out this title, which shall be made available under section 104(e) (2) of this title (relating to model programs);

(E) not less than 5 per centum of the total amount available for carrying out this title, for the purposes of section 203 of this Act (relating to monitoring and enforcement of standards).

(2) The Secretary shall allocate the remainder of the amounts available for this title, among the States and within the States among local areas, so as to provide, to the extent practicable, for the geographical distribution of such remainder in such a manner that—

(A) 50 per centum thereof shall be apportioned among the States, and within each State among local areas, in proportion to the relative number of economically disadvantaged children in each State and local area, respectively;

(B) 25 per centum thereof shall be apportioned among the States, and within each State among local areas, in proportion to the relative number of children through age five in each State and local area, respectively; and

(C) 25 per centum thereof shall be apportioned among the States, and within each State among local areas, in proportion to the relative number of children of working mothers and single parents in each State and local area, respectively.

For the purposes of clauses (A), (B), and (C) of this paragraph, there shall be excluded those children who are counted under clauses (B) and (C) of subsection (a) (1) of this section.

(b) Not more than 5 per centum of the total funds apportioned for use within a State pursuant to subsection (a) (2) may be made available for grants to the State to carry out the provisions of section 108 of this title.

(c) Any portion of any apportionment under subsection (a) for a fiscal year which the Secretary determines after notice to the States and local areas involved will not be required, for the period for which such apportionment is available, for carrying out programs under this title shall be available for reapportionment from time to time, on such dates during such period as the Secretary shall fix to other States or local areas on an equitable basis, taking into account the original apportionments to the States and local areas. Any amount reapportioned to a State or local area under this subsection during a year shall be deemed part of its apportionment under subsection (a) for such year.

(d) In determining the numbers of children for purposes of allocating and apportioning funds under this section, the Secretary shall use the most recent satisfactory data available to him.

(e) As soon as practicable after funds are appropriated to carry out this title for any fiscal year, the Secretary shall publish in the Federal Register the allocations and apportionments required by this section.

STATE AND LOCAL PRIME SPONSORS

SEC. 104. (a) In accordance with the provisions of this section, a State, locality, or combination of localities meeting the requirements of this part may be designated by the Secretary as a prime sponsor for the purpose of entering into arrangements to carry out programs under this title, upon the approval by the Secretary of an application for prime sponsorship which—

(1) describes the prime sponsorship area to be served;

(2) demonstrates the applicant's capability of administering a child and family service

program meeting the requirements of this title, including the coordination of delivery of services within the prime sponsorship area of other public agencies operating programs relating to child care necessary for efficient delivery of services under this Act;

(3) provides assurances satisfactory to the Secretary that the non-Federal share requirements of the Act will be met;

(4) sets forth satisfactory provisions for establishing and maintaining a Child and Family Service Council which meets the requirements of section 105;

(5) provides that the prime sponsor shall be responsible for developing and preparing for each fiscal year a plan in accordance with section 106 and any modification thereof and for selecting or establishing an agency or agencies to administer and coordinate child and family service programs in the prime sponsorship area;

(6) sets forth arrangements under which the Child and Family Service Council will be responsible for approving child and family service plans, basic goals, policies, procedures, overall budget policies and project funding, and the selection or establishment and annual renewal of any agency or agencies under paragraph (5) of this subsection and will be responsible for annual and ongoing evaluation of child and family service programs conducted in the prime sponsorship area according to criteria established by the Secretary;

(7) provides assurances that staff and other administrative expenses for the Child and Family Service Councils and Local Program Councils and Project Policy Committees will not exceed 5 per centum of the total cost of child and family service programs administered by the prime sponsors unless such per centum limitation is increased to give special consideration to initial cost in the first operational year, in accordance with regulations which the Secretary shall prescribe.

(b) The Secretary shall approve a prime sponsorship application submitted by a locality which is a (1) city, (2) county, or (3) other unit of general local government, or by a combination of such localities, if he determines that the application so submitted meets the requirements of subsection (a) of this section and includes adequate provisions for carrying out comprehensive and effective child and family service programs in the area of such locality. In the event that the area under the jurisdiction of a unit of general local government described in clause (1), (2), or (3) of the preceding sentence includes any common geographical area with that covered by another such unit of general local government, the Secretary shall designate to serve such area the unit of general local government which he determines has the capability of more effectively carrying out the purposes of this part with respect to such area and which has submitted an application which meets the requirements of this section and includes adequate provisions for carrying out comprehensive child care and family service programs in such area.

(c) The Secretary shall approve a prime sponsorship plan submitted by a State, except for areas with respect to which local prime sponsors are or will be otherwise designated pursuant to this section, if he determines that the plan so submitted meets the requirements of this section and sets forth adequate arrangements for serving all geographical areas under its jurisdiction, and that the plan:

(1) meets the requirements of subsection (a) of this section and includes adequate provisions for carrying out child and family services programs in each such area;

(2) divides those areas within the State for which no prime sponsor has been designated under subsection (b) of this section into local service areas, with due consideration in making such decisions being given

to compactness, contiguity, and community of interest;

(3) provides:

(A) for establishing and maintaining with respect to each local service area a local program council composed so that (1) not less than half of the members who shall be chosen initially by parents who are recipients of federally assisted day care services, with equitable and appropriate consideration to parents selected by the parent members of Headstart policy committees where they exist, and at the earliest practicable times by the parent members of parent policy committees, and (2) the remainder shall be public members broadly representative of the general public, appointed by the chief executive officers or the governing bodies, as appropriate, of the units of general local government within the local program area;

(B) that the comprehensive child care and family service plan to be submitted by the State which affects each such area is developed and prepared with the full participation and approval of the appropriate local program council; and

(C) that contracts for the operation of programs through public or private nonprofit agencies or organizations shall be entered into only if previously approved by the local program council for the appropriate local service area; and

(4) contains assurances that any local program council may appeal directly to the Secretary whenever such council alleges that with respect to its portion of the child and family service plan the State has failed to comply with the provisions of such plan or the provisions of the Act.

(d) In addition to prime sponsors designated under subsections (a), (b), and (c) of this section, the Secretary may fund directly:

(1) an Indian tribe on a Federal or State reservation if he determines that such Indian tribe has the capacity to carry out child and family service programs in the area to be served;

(2) a public or private nonprofit agency, including but not limited to an educational agency or institution, a community action agency, single-purpose Headstart agency, community development corporation, parent cooperative, organization of migrant agricultural workers, organization of Indians, employer organization, labor union, or employee or labor-management organization, which submits a proposal:

(A) to provide child care and family services in an area possessing a commonality of interest where no prime sponsor has been designated, or where the prime sponsor is found not to be satisfactorily implementing child and family service programs;

(B) to provide child and family service programs on a year-round basis to children of migrant agricultural workers and their families; or

(C) to carry out model programs especially designed to be responsive to the needs of economically disadvantaged, minority group, or bilingual children and their families.

(e) When any prime sponsor is maintaining a pattern or practice of discrimination against minority group children or economically disadvantaged children, the Secretary shall designate for prime sponsorship an alternative unit of government of public or private agency or organization in the area which will equitably serve minority group children and economically disadvantaged children.

(f) The Governor shall be given not less than thirty nor more than sixty days to review applications for prime sponsorship designation submitted by any applicant within the State other than the State, to offer recommendations to the applicant, and to submit comments to the Secretary.

(g) A prime sponsorship application submitted under this section may be disapproved

or a prior designation of a prime sponsor may be withdrawn only if the Secretary, in accordance with regulations which he shall prescribe, has provided (1) written notice of intention to disapprove such application, including a statement of the reasons therefor, (2) a reasonable time in which to submit corrective amendments to such application or undertake other necessary corrective action, and (3) an opportunity for a public hearing upon which basis an appeal to the Secretary may be taken as of right.

(h) (1) If any party is dissatisfied with the Secretary's final action under subsection (b) with respect to the disapproval of its application submitted under this section or the withdrawal of its prime sponsorship designation, such party may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such party is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary. The Secretary thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

(2) The court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

CHILD AND FAMILY SERVICE COUNCILS

SEC. 105. (a) Each prime sponsor designated under section 104 shall establish and maintain a Child and Family Service Council composed of not less than ten members as follows—

(1) not less than half the members of such Council shall be parents of children served in programs under this Act chosen in accordance with the provisions of paragraph (1) of subsection (b) of this section;

(2) the remaining members shall be appointed by the prime sponsor, in consultation with the parent members described in paragraph (1) to be broadly representative of the general public, including representatives of private agencies and organizations concerned with or operating programs relating to child and family services and at least one person who is particularly skilled by virtue of training or experience in child and family services;

(3) at least one-third of the total membership of the Child and Family Service Council shall be persons who are economically disadvantaged. Each Council shall select its own chairperson; and

(4) in establishing a Child Development and Family Service Council under this section, the prime sponsor shall give due consideration to the membership of child care and day care coordinating bodies then existing in the area to be served.

(b) In accordance with procedures which the Secretary shall establish pursuant to regulations, each prime sponsor designated under section 104 shall provide, with respect to the Child and Family Service Councils established and maintained by such prime sponsor, that—

(1) the parent members described in paragraph (1) of subsection (a) of this section shall be democratically selected by parents as follows:

(A) In the case of Councils established by prime sponsors which are States, by the parent members of local program councils established under section 104(c)(3); and

(B) in the case of Councils established by prime sponsors other than States (and by States with respect to local program councils), initially by parents who are recipients of federally assisted child care services, with equitable and appropriate consideration to parents selected by the parent members of

Headstart policy committees and, at the earliest practicable time, by the parent members of parent policy committees established under section 107(b)(2);

(2) the terms of office and any other policies and procedures of an organizational nature, including nomination and election procedures, are appropriate in accordance with the purposes of this Act;

(3) such Council shall be responsible for approving child and family service plans, basic goals, policies, procedures, overall budget policies and project funding, and the selection or establishment and annual renewal of an administering agency or agencies and will be responsible for annual and ongoing evaluation of child and family service programs according to criteria established by the Secretary; and

(4) such Council shall, upon its own initiative or upon request of a project applicant or any other party in interest, conduct public hearings before acting upon applications for financial assistance submitted by project applicants under this part.

CHILD AND FAMILY SERVICE PLANS

Sec. 106. (a) Financial assistance under this title may be provided by the Secretary for fiscal year 1976 and any subsequent fiscal year to a prime sponsor designated pursuant to section 104 only pursuant to a child and family service plan which is submitted by such prime sponsor and approved by the Secretary in accordance with the provisions of this title.

(b) Any such plan shall set forth a program for providing child and family service in the prime sponsorship area which—

(1) provides that programs or services under this title shall be provided only for children whose parents request them;

(2) identifies child and family service needs and goals within the area and describes the purposes for which the financial assistance will be used, giving suitable consideration to the needs of children from each minority group and significant segment of the economically disadvantaged residing within the prime sponsorship area;

(3) meets the needs of children and families in the prime sponsorship area, to the extent that available funds can be reasonably expected to have an effective impact, with priority for services to children who have not attained six years of age;

(4) provides that programs receiving funds under section 3(b) will give priority to providing services for economically disadvantaged children by reserving not less than 65 per centum of such funds for the purpose of serving economically disadvantaged children;

(5) gives priority thereafter to providing services to children of working mothers and single parents not covered under paragraph (4);

(6) provides that, to the extent feasible, each program within the prime sponsorship area shall include children from a range of socioeconomic backgrounds;

(7)(A) provides that no charge will be made with respect to any child who is economically disadvantaged, except to the extent that payment will be made by a third party; and

(B) provides, pursuant to criteria established in regulations promulgated by the Secretary as required by section 205, an appropriate and flexible fee schedule for children who are not economically disadvantaged, designed to permit enrollment or continued participation in the program as family income increases and based upon the size of the family, and its ability to pay, which shall provide for appropriately reduced charges for less than full day care, and shall provide that payment may be made in whole or in part by a third party in behalf of a family, with provision for waivers in cases of need,

(8) provides comprehensive services—

(A) to meet the special needs of minority group children and children of migrant agricultural workers with particular emphasis on the needs of children from bilingual families for the development of skills in English and in the other language spoken in the home, and

(B) to meet the needs of all children to understand the history and cultural background of minority groups within the prime sponsorship area;

(9) provides for direct parent participation in the conduct, overall direction, and evaluation of programs;

(10) provides that, insofar as possible, unemployed or low-income persons residing in communities being served by such projects will be employed therein, including in-home and part-time employment and opportunities for training and career development, provided that no person will be denied employment in any program solely on the grounds that such person fails to meet State or local teacher certification standards;

(11) includes a career development plan for paraprofessional and professional training, education, and advancement on a career ladder;

(12) provides for the regular and frequent dissemination of information in the functional language of those to be served, to assure that parents and other interested persons in the community are fully informed of the activities of the prime sponsor, Child and Family Service Council, project applicants, and parent policy committees;

(13) sets forth provisions describing any arrangements for the delegation, under the supervision of the Child and Family Service Council, to public or private agencies, institutions, or organizations, of responsibilities for the delivery of programs, services, and activities for which financial assistance is provided under this Act or for planning or evaluation services to be made available with respect to programs under this Act;

(14) provides procedures for the approval of project applications submitted in accordance with section 107, including procedures for priority consideration of applications submitted by public and private nonprofit agencies and organizations with ongoing child development programs;

(15) provides, in the case of a prime sponsor located within or adjacent to a metropolitan area, for coordination with other prime sponsors located within such metropolitan area, and arrangements for cooperative funding where appropriate, and particularly for such coordination where appropriate to meet the needs of children of parents working or participating in training or otherwise occupied during the day within a prime sponsorship area other than that in which they reside;

(16) provides for coordination of other child care and related programs (including those relating to manpower training and employment) within the prime sponsorship area with the programs assisted under this Act, including procedures and mechanisms to provide continuity between programs for preschool and elementary school children;

(17) provides for such monitoring and evaluation procedures including licensing, inspection, and enforcement activities as may be necessary to assure that programs in the prime sponsorship area funded under this Act meet the applicable Federal standards as prescribed in section 201 of this Act;

(18) provides, to the extent practicable, for the use of financial assistance and services available from State and local government, Federal sources other than those provided in this Act, and private charitable sources with respect to activities and services under the plan; and

(19) provides for such fiscal control and funding accounting procedures as the Secre-

tary may prescribe to assure proper disbursement of and accounting for Federal funds paid to the prime sponsor.

(c) No child and family service plan or modification thereof submitted by a prime sponsor under this section shall be approved by the Secretary unless he determines, in accordance with regulations which the Secretary shall prescribe, that—

(1) the educational agency for the area to be served and other appropriate educational and training agencies and institutions have had an opportunity to submit comments to the prime sponsor and to the Secretary;

(2) each community action agency or single-purpose Headstart agency in the area to be served responsible for the administration of programs under this part or under section 222(a)(1) of the Economic Opportunity Act of 1964 has had an opportunity to submit comments to the prime sponsor and to the Secretary;

(3) in the case of a plan submitted by a prime sponsor other than the State, the Governor of that State or the State Child and Family Service Council has had an opportunity to submit comments to the prime sponsor and to the Secretary;

(4) A comprehensive child and family service plan submitted under this section may be disapproved or a prior approval withdrawn only if the Secretary, in accordance with regulations which he shall prescribe, has provided—

(1) written notice of intention to disapprove such plan including a statement of the reasons therefor,

(2) a reasonable time to submit corrective amendments to such plan or undertake other necessary corrective action, and

(3) an opportunity for a public hearing upon which basis an appeal to the Secretary may be taken as of right.

PROJECT APPLICATIONS

SEC. 107. (a) Funds may be provided by the prime sponsor for carrying out any program under such prime sponsor's comprehensive child and family service plan only to a qualified public or private agency or organization, including but not limited to an educational agency or institution, a community action agency, single-purpose Headstart agency, community development corporation, parent cooperative, organization of migrant agricultural workers, organization of Indians, organization interested in child care, employer or business organization, labor union, or employee or labor management organization.

(b) Financial assistance under this title may be provided to a project applicant for any fiscal year only pursuant to a project application which is submitted to the Child and Family Service Council by a public or private agency and which—

(1) describes the project, identifies the children and families it is designed to serve, and provides for the necessary such comprehensive services.

(2) provides for establishing and maintaining a parent policy committee composed of not less than ten members as follows—
(A) not less than half of the members of each such committee shall be parents of children served by such project, democratically selected by parents of children served by the project, and

(B) the remaining members of each such committee shall consist of (i) persons who are representative of the community and who are approved by the parent members, and (ii) at least one person who is particularly skilled by virtue of training or experience in child care, child health, child welfare, or other child care services, except that the Secretary may waive the requirement of this clause where he determines, in accordance with regulations that such persons are not available to the area to be served;

(3) provides for direct participation of such parent policy committee in the devel-

opment and preparation of project applications under this title;

(4) assures that the parent policy committee shall have responsibility for approving basic goals, policies, actions, and procedures for the project, applicant, and for planning, overall conduct, personnel, budgeting, location of centers and facilities, and direction and evaluation of projects, including approval of the project director and any project applications and modifications thereof;

(5) makes adequate provision for training and other administrative expenses of such parent policy committee (including necessary expenses to enable low-income members to participate in committee meetings);

(6) assures that services shall be provided without charge to any child who is economically disadvantaged except to the extent that payment will be made by a third party, and that charges will be made to any child who is not economically disadvantaged according to the fee schedule established pursuant to section 106(b)(7)(B);

(7) provides for the regular and frequent dissemination of information in the functional language of those to be served, to assure that parents and interested persons are fully informed of project activities;

(8) provides opportunities for the direct participation of parents, older siblings, and other family members in the daily activities of the programs in which their children are enrolled;

(9) assures, to the extent practicable, employment of paraprofessional aides and use of volunteers, especially parents, older children, students, older persons, and persons preparing for careers in child development and family service programs;

(10) assures that children will in no case be excluded from the programs operated pursuant to this title because of their participation in nonpublic preschool or school programs or because of the intention of their parents to enroll them in nonpublic schools when they attain school age;

(11) provides for such fiscal control and fund accounting procedures as the prime sponsor shall prescribe to assure proper disbursement of and accounting for Federal funds.

(c) A project application may be approved by a prime sponsor upon its determination that such application meets the requirements of this section and that the programs provided for therein will otherwise further the objectives and satisfy the appropriate provisions of the prime sponsor's comprehensive child and family service plan as approved pursuant to section 106.

(d) A project application from a public or private agency seeking funds under section 104(d) shall be submitted directly to the Secretary, and may be approved by the Secretary upon his determination that it meets the requirements of subsection (b) of this section.

(e) A prime sponsor may disapprove a project application only if it provides to the project applicant a written statement of the reasons therefor. Such project applicant may submit an appeal to the Secretary requesting the direct approval of such application or modification thereof. Any such appeal shall include such comments, including the project applicant's response to the prime sponsor's statement of reasons for disapproval, as the project applicant may deem appropriate or as the Secretary may require.

SPECIAL GRANTS TO STATES

SEC. 108. (a) Upon application submitted by any State, the Secretary is authorized to provide financial assistance for use by such State for carrying out activities for the purposes of—

(1) establishing a child and family services information program, in order to improve their quality and availability and im-

prove the accessibility of such services to parents who need them.

(2) identifying child and family service goals and needs within the State;

(3) coordinating all State child and family services, and encouraging the cooperation and participation of State agencies in providing such services, including health, family planning, mental health, education, nutrition, and family, social and rehabilitative services where requested by appropriate prime sponsors in the development and implementation of comprehensive child and family service plans;

(4) encouraging the full use of resources and facilities for child and family service programs within the State;

(5) developing, enforcing, and assessing State codes for licensing child and family service facilities within the State;

(6) assisting public and private agencies and organizations in the acquisition or improvement of facilities for child and family service programs;

(7) assisting in the establishment of Child and Family Service Councils and strengthening the capability of such Councils to effectively plan, supervise, coordinate, monitor, and evaluate child and family service programs;

(8) developing information useful in reviewing prime sponsorship applications under section 104 and of comprehensive child and family service plans under section 106.

(b) In order to receive funds under this section, a State shall establish a Child and Family Service Council as prescribed in section 104(a).

(c) Funds received by the State under this section shall be in addition to any funds such State may receive under this title pursuant to an approved prime sponsorship application and comprehensive child and family service plan.

ADDITIONAL CONDITIONS FOR PROGRAMS INCLUDING CONSTRUCTION OR ACQUISITION

Sec. 109. (a) Applications for financial assistance for projects including construction or acquisition may be approved only if the prime sponsor, or the Secretary in cases of applications submitted for his approval, determines that construction or acquisition of such facilities is essential to the provision of adequate child care services, and that rental, lease, or lease-purchase, remodeling, or renovation of adequate facilities is not practicable.

(b) If any facility assisted under this title shall cease to be used for the purposes for which it was constructed, the United States shall be entitled to recover from the applicant or other owner of the facility an amount which bears to the then value of the facility (or so much thereof as constituted an approved project) the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aid of such funds unless the Secretary determines in accordance with regulations that there is good cause for releasing the applicant or other owner from the obligation to do so. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

(c) All laborers and mechanics employed by contractors or subcontractors on all construction, remodeling, renovation, or alteration projects assisted under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

(d) In the case of loans for construction, the Secretary shall prescribe the interest rate and the period within which such loan shall be repaid, but such interest rate shall not be less than 3 per centum per annum and the period within which such loan is to be repaid shall not be more than twenty-five years.

(e) The Federal assistance for construction, remodeling, renovation, alteration, or acquisition of facilities, may be in the form of grants or loans. Repayment of loans shall, to the extent required by the Secretary, be returned to the prime sponsor from whose financial assistance the loan was made, or used for additional loans or grants under this title. Not more than 15 per centum of the total financial assistance provided to a prime sponsor under this title shall be used for construction of facilities, with no more than 7½ per centum of such assistance usable for grants for construction. Financial assistance for construction or acquisition of facilities pursuant to this Act shall be available only to public and private nonprofit agencies, institutions, and organizations.

USE OF PUBLIC FACILITIES FOR CHILD AND FAMILY SERVICE PROGRAMS

Sec. 110. (a) The Secretary, after consultation with other appropriate officials of the Federal Government, shall within eighteen months after enactment of this Act report to the Congress with respect to the extent to which facilities owned or leased by Federal departments, agencies, and independent authorities could be made available to public and private agencies and organizations, through appropriate arrangements, for use as facilities for child and family service programs under this title during times and periods when not utilized fully for their usual purposes, together with his recommendations (including recommendations for changes in legislation) or proposed actions for such use.

(b) The Secretary may require, as a condition to the receipt of assistance under this title, that any prime sponsor under this title agree to conduct a review and provide the Secretary with a report as to the extent to which facilities owned or leased by such prime sponsor, or by other agencies in the prime sponsorship area, could be made available, through appropriate arrangements, for use as facilities for child and family service programs under this title during times and periods when not utilized fully for their usual purposes, together with the prime sponsor's proposed actions for such use.

PAYMENTS

Sec. 111. (a) In accordance with this section, the Secretary shall pay from the applicable allocation or apportionment under section 103 the Federal share of the costs of programs, services, and activities, in accordance with plans or applications which have been approved as provided in this title. In making such payment to any prime sponsor, the Secretary shall include in such costs an amount for staff and other administrative expenses for the Child and Family Service Councils and for parent policy committees, consistent with limitations contained in this title.

(b) The Secretary shall pay from funds appropriated under section 3(a) for fiscal year 1976 an amount equal to 100 per centum of the cost of planning, training, and technical assistance.

(1) Except as provided in paragraphs (2) and (3) of this subsection, the Secretary shall pay from funds appropriated under section 3(b) for fiscal year 1977 an amount not in excess of 90 per centum of the amount from funds appropriated under section 3(b) for fiscal year 1978 and subsequent years an amount not to exceed 80 per centum of the

cost of carrying out programs, services, and activities under this title. The Secretary may, in accordance with such regulations as he shall prescribe, approve assistance in excess of such percentage if he determines that such action is required to provide adequately for the child and family service needs of economically disadvantaged children.

(2) The Secretary shall pay an amount equal to 100 per centum of the costs of providing child and family service programs for children of migrant agricultural workers under this title.

(3) The Secretary shall pay an amount equal to 100 per centum of the costs of providing child and family service programs for children in Indian tribal organizations under this title.

(c) The non-Federal share of the costs of programs assisted under this title may be provided through public or private funds and may be in the form of cash, goods, services, or facilities (or portions thereof that are used for program purposes), reasonably evaluated, or union or employer contributions. Fees collected for services shall not be used for the non-Federal share, but shall be used by the prime sponsor to improve and expand programs under the comprehensive child development and family service plan.

(d) If, with respect to any fiscal year, a prime sponsor or project applicant provides non-Federal contributions or any program, service, or activity exceeding its requirements, such excess may be applied toward meeting the requirements, for such contributions for the subsequent fiscal year under this title.

(e) No State or unit of general local government shall reduce its expenditures for child development or child care programs by reason of assistance under this title.

TITLE II—STANDARDS, ENFORCEMENT, AND EVALUATION

FEDERAL STANDARDS FOR CHILD CARE

Sec. 201. (a) (1) Within six months after the enactment of this Act, the Secretary may, after consultation with other Federal agencies and with the approval of the committee established pursuant to subsection (d) of this section, promulgate a common set of program standards which shall be applicable to all programs providing child care services under this or any other Federal Act, to be known as the Federal Standards for Child Care. If the Secretary disapproves the committee's recommendations, he shall state the reasons therefor.

(2) Such standards shall replace but shall be consistent with the Federal Interagency Day Care Requirements as approved by the Department of Health, Education, and Welfare, the Office of Economic Opportunity, and the Department of Labor on September 23, 1968. The 1968 requirements will continue to apply to all applicable programs until program standards authorized by subsection (a) are in effect.

(3) Not less than sixty days prior to implementation of program standards pursuant to subsection (a) of this section, the Secretary shall submit such proposed program standards to the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives. Upon majority vote of either Committee within such sixty days disapproving such proposed program standards, such standards shall not take effect.

(b) The Secretary shall establish policies and procedures, in accordance with regulations which he shall prescribe, to assure that all programs and projects assisted under this Act address, on a continuing basis, the individual need of and the appropriateness of child and family service for very young children served.—

(1) any program or project providing care outside the home for very young children

shall be reviewed and evaluated periodically and frequently by the Secretary, to insure that it meets the highest standards of quality, and the Secretary may reserve such funds as he deems necessary from funds available under this Act for the purpose of evaluation, by appropriate persons, of programs under this Act in order to insure compliance with subsections (a) and (b) of this section.

(2) no program or project described in clause (1) of this subsection shall be approved for assistance under this Act unless it is specifically authorized and approved by the Secretary.

(c) (1) Upon determination that a prime sponsor or project is in violation of one or more of the provisions of this section, the Secretary shall give immediate public notice of such determination to such prime sponsor or project and, if such violation or violations have not been corrected, shall commence action within ninety days of such determination to withhold funds under section 204.

(2) Upon determination that a project is in violation of one or more of the provisions of this section, the prime sponsor shall give immediate notice of such determination to such project and, if such violation or violations have not been corrected, shall commence action within ninety days of such determination to withhold funds under section 204.

(d) The Secretary shall, within sixty days after enactment of this Act, appoint a Special Committee on Federal Standards for Child Care, which shall include parents of children enrolled in Headstart and child care programs, representatives of public and private agencies and organizations administering such programs, specialists, and other public and private providers of child and family services, individuals engaged in licensing activities, and others interested in services for children. Not less than one-half of the membership of the committee shall consist of parents of children participating in programs conducted under title I of this Act and section 222(a) of the Economic Opportunity Act of 1964 and title IV-A of the Social Security Act, or other public programs providing child and family services. Such committee shall participate in the development of Federal Standards for Child Care and modifications thereof as provided in subsection (a).

(e) In no event shall any prime sponsor or program or project receiving assistance under this Act reduce the quality of services provided under this Act below the standards established in this section.

DEVELOPMENT OF UNIFORM CODE FOR FACILITIES

Sec. 202. (a) The Secretary shall, within sixty days after the date of enactment of this Act, appoint a special committee to develop a uniform minimum code for facilities, to be used in licensing child and family services facilities. Such standards shall deal principally with these matters essential to the health, safety, and physical comfort of the children and the relationship of such matters to the Federal Standards for child care developed under section 201.

(b) The special committee appointed under this section shall include parents of children enrolled in comprehensive child services programs and representatives of State and local licensing agencies, public health officials, fire prevention officials, the construction industry and unions, public and private agencies or organizations administering comprehensive child services programs, and national agencies or organizations interested in services for children. Not less than one-half of the membership of the committee shall consist of parents of children enrolled in programs conducted under this title, section 222(a) (1) of the Economic Opportunity Act of 1964, and title IV of the Social Security Act.

(c) Within six months of its appointment, the special committee shall complete a proposed uniform code and shall hold public hearings on the proposed code prior to submitting its final recommendation to the Secretary for his approval.

(d) The Secretary must approve the code as a whole or secure the concurrence of the special committee to changes therein, and, upon approval, such standards shall be applicable to all facilities receiving Federal financial assistance under this Act or in which programs receiving such Federal financial assistance are operated; and the Secretary shall also distribute such standards and urge their adoption by States and local governments. The Secretary may from time to time modify the uniform code for facilities in accordance with the procedures described in subsections (a) through (d).

PROGRAM MONITORING AND ENFORCEMENT

SEC. 203. The Secretary shall provide, through the Office of Child and Family Services, for regular and periodic monitoring and programs under this Act to assure compliance with the child care standards and other requirements of this Act, and shall provide for the establishment and maintenance of sufficient trained staff in such office to accomplish the purpose of this section.

WITHHOLDING OF GRANTS

SEC. 204. Whenever the Secretary, after reasonable notice and opportunity for a hearing to any prime sponsor, or project applicant, finds—

(1) that there has been a failure to comply substantially with any requirement set forth in the plan of any such prime sponsor approved under section 106; or

(2) that there has been a failure to comply with applicable standards pursuant to section 201; or

(3) that there has been a failure to comply substantially with any requirement set forth in the application of any such project applicant approved pursuant to section 107; or

(4) that in the operation of any plan, program, or project carried out by any such prime sponsor, or project applicant or other recipient of financial assistance under this Act there is a failure to comply substantially with any applicable provision of this Act or regulation promulgated thereunder;

the Secretary shall notify such prime sponsor, project applicant, or other recipient of his findings and that no further payments may be made to such sponsor, project applicant, or other recipient under this Act (or in the Secretary's discretion that any such prime sponsor shall not make further payments under this Act to specified project applicants affected by the failure) until he is satisfied that there is no longer any such failure to comply, or that the noncompliance will be promptly corrected. The Secretary may authorize the continuation of payments with respect to any project assisted under this Act which is being carried out pursuant to such plan or application and which is not involved in any noncompliance.

CRITERIA WITH RESPECT TO FEE SCHEDULES

SEC. 205. (a) Not later than one hundred and eighty days after the enactment of this Act, the Secretary shall by regulation establish criteria for the adoption of fee schedules by prime sponsors as provided in section 106(b) (7) (B) of this Act. Such criteria shall be designed to permit enrollment or continued participation in the program as family income increases, shall be based on family size, and ability to pay, and shall provide for appropriately reduced charges for less than full-day care, and shall be appropriately adjusted for regional and urban-rural differences in the cost of living or determined by the Bureau of Labor Statistics.

(b) Not less than sixty days prior to implementation of the criteria established by the Secretary pursuant to section 106(b)

(7) (B), the Secretary shall submit such proposed criteria to the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives. Upon a majority vote of either committee disapproving such proposed criteria, such criteria shall not take effect; and the Secretary shall within sixty days promulgate revised criteria. Such revised criteria, and any revision to criteria established pursuant to this section shall be subject to the requirements of this section.

EVALUATION

SEC. 206. (a) The Secretary shall make an evaluation of Federal involvement in child and family services, which shall include—

(1) enumeration and description of all Federal activities which affect child and family service programs;

(2) analysis of expenditures of Federal funds for such activities and services;

(3) determination of the effectiveness of such activities and services;

(4) the extent to which preschool, minority group, and economically disadvantaged children and their parents have participated in programs under this Act; and

(5) such recommendations to Congress as the Secretary may deem appropriate.

(b) The results of the evaluation required by subsection (a) of this section shall be reported to Congress not later than two years after enactment of this Act.

(c) The Secretary shall establish such procedures as may be necessary to conduct an annual evaluation of Federal involvement in child and family services programs, and shall report the results of each such evaluation to Congress.

(d) Prime sponsors and project applicants assisted under this Act and departments and agencies of the Federal Government shall, upon request by the Secretary or the Comptroller General of the United States make available, consistent with other provisions of law, such information as the Secretary determines is necessary for purposes of making the evaluation required under subsection (c) of this section, or the Comptroller General determines is necessary for an independent evaluation.

(e) The Secretary may enter into contracts with public or private nonprofit agencies, organizations, or individuals to carry out the provisions of this section.

(f) The Secretary shall reserve for the purposes of this section not less than 1 per centum, but not more than 2 per centum, of the amounts available under section 3 (b) of this Act for any fiscal year.

TITLE III—RESEARCH AND DEMONSTRATIONS

SEC. 301. (a) The Secretary is authorized to carry out a program of research and demonstration projects, which shall include but not be limited to—

(1) research to develop techniques to measure and evaluate child and family services, and to develop standards to evaluate professional and paraprofessional child and family service personnel;

(2) research to test preschool programs emphasizing reading and reading readiness;

(3) preventive medicine and techniques and technology, including multiphasic screening and testing, to improve the early diagnosis and treatment of diseases and learning disabilities of preschool children.

(4) research to test alternative methods of providing child and family service;

(5) evaluation of research findings and the development of these findings and the effective application thereof;

(6) dissemination and application of research and development efforts and demonstration projects to child and family service and related programs and early childhood education, using regional demonstration centers and advisory services where feasible;

(7) production of informational systems and other resources necessary to support the activities authorized by this Act; and

(8) a study of the need on a nationwide basis for child and family services programs and of the resources, including personnel, which are available to meet this need.

(b) In order to carry out the program provided for in this section, the Secretary is authorized to make grants to or enter into contracts or other arrangements with public or nonprofit private agencies (including other Government agencies), organizations, institutions, and individuals.

(c) (1) The Secretary shall coordinate, through the Office of Child and Family Services established under section 101(a), all child and family services research, training, and development efforts conducted within the Department of Health, Education, and Welfare and, to the extent feasible, by other agencies, organizations, and individuals.

(2) Funds available to any Federal department or agency for the purposes of this title shall be available for transfer, with the approval of the head of the department or agency involved, in whole or in part, to the Secretary for such use as is consistent with the purposes for which such funds were provided, and the funds so transferred shall be expendable by the Secretary through the Office of Child and Family Services established under section 101(a), for the purposes for which the transfer was made.

(d) The Secretary shall conduct special demonstration, and model programs, which demonstration, and model programs shall be subject to the fullest extent practicable to each of the requirements with respect to project applications under section 107.

(e) The Secretary shall report to Congress not later than September 1, 1976, summarizing his activities and accomplishments under this section during the preceding fiscal year and the grants, contracts, or other arrangements entered into and making such recommendations (including recommendations for legislation) as he may deem appropriate.

TITLE IV—TRAINING OF PERSONNEL FOR CHILD AND FAMILY SERVICES

PRESERVICE AND INSERVICE TRAINING

Sec. 401. The Secretary is authorized to make payments to provide financial assistance to enable individuals employed or preparing for employment in child and family services programs assisted under this Act, including volunteers, to participate in programs of preservice or inservice training for professional and nonprofessional personnel, to be conducted by any agency carrying out a child and family services program, or any institution of higher education, including a community college, or by any combination thereof.

TECHNICAL ASSISTANCE AND PLANNING

Sec. 402. The Secretary shall, directly or through grant or contract, make technical assistance available to prime sponsors and to project applicants participating or seeking to participate in programs assisted under this Act on a continuing basis, to assist them in planning, developing, and carrying out child and family services programs.

TITLE V—GENERAL PROVISIONS

DEFINITIONS

Sec. 501. As used in this Act, the term—

(1) "Secretary" means the Secretary of Health, Education, and Welfare;

(2) "State" means the several States and the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands;

(3) "child and family service programs" means programs on a full day or part-day basis which provide or arrange for the provision of the educational, nutritional, health, and other services needed to provide the opportunity for children to attain their full potential, including services to other family members;

(4) "children" means individuals who have not attained the age of fifteen;

(5) "economically disadvantaged children" means any children of a family having an annual income below the lower living standard budget (adjusted for regional and met-

ropolitan, urban, and rural differences, and family size), as determined annually by the Bureau of Labor Statistics at the Department of Labor;

(6) "handicapped children" includes mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education and related services;

(7) "program" includes any program, service, or activity, which is conducted full- or part-time in the home, in schools, or in child facilities;

(8) "parent" means any person who has primary day-to-day responsibility for any child;

(9) "single parent" means any person who has sole day-to-day responsibility for any child;

(10) "working mother" means any mother who needs child or family service in order to undertake or continue full- or part-time employment, training, or education outside the home;

(11) "minority group" includes, but is not limited to, persons who are Negro American Indian, Spanish-surnamed American, Portuguese, or Oriental, and, as determined by the Secretary, children who are from environments in which a dominant language is other than English and who, as a result of language barriers, may need special assistance, and, for the purpose of this paragraph, "Spanish-surnamed Americans" includes, but is not limited to, persons of Mexican, Puerto Rican, Cuban, or Spanish origin or ancestry;

(12) "bilingual" includes, but is not limited to persons who are Spanish-surnamed Americans, American Indian, Oriental, Portuguese, or others who have learned during childhood to speak the language of the minority group of which they are members and who, as a result of language barriers, may need special assistance;

(13) "local educational agency" means any such agency as defined in section 801(f) of the Elementary and Secondary Education Act of 1965;

(14) "unit of general local government" means any political subdivision of a State having general governmental powers.

NUTRITION SERVICES

Sec. 502. In accordance with the purposes of this title, the Secretary of Health, Education, and Welfare shall establish procedures to assure that adequate nutrition services will be provided in child and family services programs under this Act. Such services shall make use of the special food service program for children as defined under section 13 of the National School Lunch Act of 1946 and the Child Nutrition Act of 1966, to the fullest extent appropriate and consistent with the provisions of such Acts.

SPECIAL PROVISIONS

Sec. 503. (a) The Secretary shall not provide financial assistance for any program under this Act unless the grant, contract, or agreement with respect to such program specifically provides that no person with responsibilities in the operation of such program will discriminate with respect to any program, program participant, or any applicant for participation in such program because of race, creed, color, national origin, sex, political affiliation or beliefs.

(b) No person in the United States shall on the ground of sex be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be

*Stricken material in section 501 deleted by Amnt. No. 1389 introduced by Mr. Mondale, Feb. 5, 1976, and the following language to be inserted: "Nothing in this Act shall alter or interfere in any way with the rights and responsibilities of parents. The term 'parent' shall in no case include any person caring for the child in the capacity of teacher or day care staff, nor shall the term 'parent' include any other person on whom legal guardianship of the child has not been conferred under applicable State law."

denied employment in connection with, any program or activity receiving assistance under this Act. The Secretary shall enforce the provisions of the preceding sentence in accordance with section 602 of the Civil Rights Act of 1964. Section 603 of such Act shall apply with respect to any action taken by the Secretary to enforce such sentence. This section shall not be construed as affecting any other legal remedy that a person may have if that person is excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with, any program or activity receiving assistance under this Act.

(c) The Secretary may make such grants, contracts, or agreements, establish such procedures, policies, rules, and regulations and make such payments in installments and in advance or by way of reimbursement, or otherwise allocate or expend funds made available under this Act, as he may deem necessary to carry out the provisions of this Act, including necessary adjustments in payments on account of overpayments or underpayments. Subject to the provisions of section 204, the Secretary may also withhold funds otherwise payable under this Act in order to recover any amounts expended in the current or immediately prior fiscal year in violation of any provision of this Act on any term or condition of assistance under this Act.

(d) The Secretary shall not provide financial assistance for any program, service, or activity under this Act unless he determines that persons employed thereunder, other than persons who serve without compensation, shall be paid wages which shall not be lower than whichever is the highest of—

(1) the minimum wage which would be applicable to the employee under the Fair Labor Standards Act of 1938 (29 U.S.C. 206), if section 6(a) (1) of such Act applied to the participant and if he were not exempt under section 13 thereof;

(2) the State or local minimum wage for the most nearly comparable covered employment; or

(3) the prevailing rates of pay for persons employed in similar occupations by the same employer.

(e) The Secretary shall not provide financial assistance for any program under this Act unless he determines that no funds will be used for and no person will be employed under the program in this construction, operation, or maintenance of so much of any facility as is for use for sectarian instruction or as a place for religious worship.

SPECIAL PROHIBITIONS AND PROTECTIONS

SEC. 504. (a) Nothing in this Act shall be construed or applied in such a manner as to infringe upon or usurp the moral and legal rights and responsibilities of parents or guardians with respect to the moral, mental, emotional, physical, or other development of their children. Nor shall any section of this Act be construed or applied in such a manner as to permit any invasion of privacy otherwise protected by law, or to abridge any legal remedies for any such invasion which are otherwise provided by law.

(b) The Secretary is directed to establish appropriate procedures to insure that no child shall be the subject of any research or experimentation under this Act unless the parent or guardian of such child informed of such research or experimentation and is given an opportunity as a right to except such child therefrom.

(c) A child participating in a program assisted under this Act shall not undergo medical or psychological examination experimentation or research, immunization (except to the extent necessary to protect the public from epidemics of contagious diseases or in cases of medical emergencies where parental consent cannot be readily obtained), or treatment without the written permission of his parent or guardian based upon

full understanding of the procedures and possible consequences.

PUBLIC INFORMATION

SEC. 505. Applications for designation as prime sponsors, comprehensive child development plans, project applications, and all written material pertaining thereto shall be made readily available without charge to the public by the prime sponsor, the applicant, and the Secretary.

REFPEAL OR AMENDMENT OF EXISTING AUTHORITY AND COORDINATION

SEC. 506. (a) After consultation with the head of any agency of the Federal Government immediately responsible for providing Federal assistance for and family services, child care, and related programs, including title I of the Elementary and Secondary Education Act of 1965, section 222(a) (2) of the Economic Opportunity Act of 1964, title VIII of the Housing and Urban Development Act of 1966, title I of the Demonstration Cities and Metropolitan Development Act of 1966 and titles IV and VI of the Social Security Act, the Secretary of Health, Education, and Welfare shall establish regulations to assure the coordination of all such programs with the programs assisted under this Act.

(b) (1) Section 203(j) (1) of the Federal Property and Administrative Services Act of 1949 is amended by striking out "or civil defense" and inserting in lieu thereof "civil defense, or the operation of child care facilities".

(2) Section 203(j) (3) of such Act is amended—

(A) by striking out, in the first sentence, "or public health" and inserting in lieu thereof "public health, or the operation of child care facilities";

(B) by inserting after "handicapped," in clause (A) and clause (B) of the first sentence the following: "child care facilities"; and

(C) by inserting after "public health purposes" and the second sentence, the following: ", or for the operation of child care facilities".

ACCEPTANCE OF FUNDS

SEC. 507. In carrying out the purposes and provisions of this Act, the Secretary is authorized to accept and use funds appropriated to carry out other provisions of Federal law if such funds are used for the purposes for which they are specifically authorized and appropriated.

BIPARTISAN GROUP OF SENATORS AND CONGRESSMEN TO SEEK CHILD, FAMILY SERVICES BILL

WASHINGTON, D.C., February 7.—A bipartisan group of Senators and Representatives joined today to call for new legislation to upgrade and increase day care, preschool education, health and nutrition services available to families for their children.

The group, led by Senators Walter F. Mondale (D-Minn.) and Jacob Javits (R-N.Y.) in the Senate and by Congressman John Brademas (D-Ind.) and Alphonso Bell (R-Calif.) in the House, introduced companion bills today.

Brademas, Chairman of the House Select Subcommittee on Education, and Mondale, Chairman of the Senate Subcommittee on Children and Youth, announced that they would hold joint hearings on the bill beginning on Thursday, February 20, and Friday, February 21. A joint field hearing will be held Monday, February 24 in Chicago, Illinois.

Among activities supported by the legislation would be day care services for preschool age children including early identification of handicaps; medical services for new mothers to reduce the incidence of preventable birth defects; family counseling; health diagnosis and treatment; and school feeding programs for children.

"Serious gaps exist in the quality and extent of child care services now available to parents for their children. This is a particularly important problem for working parents," the sponsors said in a joint statement released today.

"Today there are only about one million day care openings in licensed day care facilities to serve the six million preschool children whose mothers work.

"Some of these children of working parents are receiving good care from relatives and neighbors, but far too many families are forced to leave their children in facilities which are both seriously understaffed and which provide almost no supportive services."

Mondale and Brademas stressed that participation in the programs authorized by the bill would be completely voluntary.

The sponsors also said they are particularly concerned that parents play a key role in the operation of community projects which would receive support from the new law. This goal would be accomplished, they explained, in two ways:

(1) By establishing policy-making parent councils for each child care and family service program; and

(2) By providing for the participation of parents in the day to day operation of the programs.

The programs would be administered through a system of state and local governmental "prime sponsors" including educational institutions and other public and private nonprofit grantees in specified circumstances. Under the proposed bill, both profit and nonprofit organizations which meet the bill's standards for quality would be eligible to receive funds to operate the programs and provide services.

The new bill is similar to one which Congress passed in 1971 but which President Nixon vetoed in the last days of that year.

Brademas and Mondale emphasized that the proposed was not "etched in stone." They said, "We intend to invite a wide range of interested persons and organizations to present their views to the Committee as we consider this legislation."

At the time this release went to print, 84 Congressmen had joined the sponsors in cosponsoring the House bill, and 23 Senators had agreed to cosponsor the Senate version.

* * * * *

**IV. UNSIGNED FLYER ATTACKING CHILD AND
FAMILY SERVICES BILL**

(15)

According to Senator Bartlett's Office, this legislation is currently before the Committee of Labor and Public Welfare. Hearings are scheduled for February, 1976. The staff member at the Senator's office recommended writing to the committee to express any opinion concerning the bill. The chairman of the Committee is also the author of the bill. He is Senator Walter F. Mondale of Minnesota. The ranking minority member of the committee is Robert T. Stafford.

-----The Address for the Committee is-----

Committee on Labor and Public Welfare
Suite 4230
Dirksen Office Building
Washington, D.C. 20510
(Attention: either man named above)

REARING CHILDREN BY THE GOVERNMENT OR BY THE PARENTS

There is before the Congress of the United State legislation known as:

THE CHILD AND FAMILY SERVICE ACT OF 1975
House of Representatives HB 2966
Senate S 626

CHILD ADVOCACY CLAUSE

In the Congressional Record the bill is described:

"If, in the judgement of those who are in charge of such a program, the Senate by way of the Secretary of Health, Education and Welfare, parents are not doing a good job, (the advocate a specialist appointed by the government) would enter the home and direct education, even with the home. And if the parent would object, the authority of the home would, De Facto, be transferred to these advocated."

The Charter of Children's Rights of the National Council of Civil Liberties is becoming part of the Child Development Act. Following are four (4) of the several items proposed in this charter.

Congressional Record page 44138:

1. "All children have the right of protection from and compensation for the consequences of any inadequacies in their home and backgrounds."
2. "Children have the right to protection from any excessive claims made on them by their parents or authority." (The question was asked by way of example, "What do you mean by the fact "excessive claim?" The example was given, "If the mother or father asked the child to take the garbage out and the child doesn't want to, the parents have no right to insist upon it".)
3. "Children have the right to freedom from religious or political indoctrination." (This means that parents could not insist on children attending Church or Sunday School or Synagogue. It also means the parent could be reported to authorities for expressing himself in his own home before his own children regarding politics and religion, if the child reported this to the authorities.)
4. "Children shall have the freedom to make complaints about teachers, parents and others without fear of reprisals."

This bill passed both houses in 1971, and was vetoed by President Richard Nixon with the following remark: "This bill would weaken the American family by committing the vast moral authority of the National Government to the side of communal approaches to child rearing over and against the family-oriented approach."

The Congressional Record states concerning this bill:

"The intent of this bill is for the government to be responsible....for the nutritional interest of your child, and for all psychological interests of your child." "What is at issue is whether the parents shall continue to have the right to form the character of the children or whether the state with all its power and magnitude, shall be given the decisive tools and techniques for forming the young lives of the children of this country." "As a matter of the child's right, the Government shall exert control over the family because we have recognize, further, that no parental, but communal forms of up-bringing have an unquestionable superiority over all other forms. Furthermore, there is serious question that maybe we cannot trust the family to prepare young children in this country for this new kind of world which is emerging."

**V. STATEMENT BY SENATOR MONDALE IN RE-
SPONSE TO ALLEGATIONS IN UNSIGNED FLYER**



Congressional Record

PROCEEDINGS AND DEBATES OF THE 94th CONGRESS, FIRST SESSION

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No. 173

Senate

CHILD AND FAMILY SERVICES

Mr. MONDALE. Mr. President, a vicious and totally inaccurate propaganda campaign is currently being waged against the child and family services legislation pending before Congress. This bill, which I sponsored in the Senate with 28 other Senators, and Representative BARNES sponsored in the House of Representatives with almost a hundred other Representatives, is being subjected to one of the most distorted and dishonest attacks I have witnessed in my 15 years of public service.

Wild and completely false allegations are being made that this legislation would somehow give children the legal right to disobey their parents; somehow prohibit parents from providing religious training to their children; somehow give the Government authority over child rearing; and somehow give children the right to complain about their parents and teachers "without fear of reprisal."

These allegations are absolutely and completely false. There is not a shred of truth in any one of them. If there were, neither I nor any Member of Congress would be sponsoring this legislation.

In fact, research reveals that these allegations are based on a document that was not even prepared in this country, and has no relevance to it. They are derived from a "Charter of Children's Rights" of the British Advisory Center of Education and the National Council of Civil Liberties which Senator CURRIE cited during Senate debate in 1971.

Yet, mimeographed materials being circulated in many sections of our country allege that the so-called "children's rights" quoted from their foreign document are "becoming part of" the Child and Family Services Act. That allegation is totally false, and I believe that the individuals or organizations making the allegation know it is false. I say that because the materials containing these allegations are unsigned—a clear and significant sign that the organizations or individuals circulating these allegations know that they cannot defend or document them.

Contrary to these unsigned allegations, the child and family services legislation contains nothing that changes or affects the legal relationship between parents

and their children. Instead, it simply offers to families—on a totally voluntary basis—access to health, education and child care services which they want for their children but often cannot afford. It offers prenatal health care and early medical screening and treatment to detect and remedy handicapping conditions, and day care services for children of working mothers. And, the bill specifically limits eligibility for these services to "children whose parents or guardians request such services"—S. 626, section 2 (a) (2); section 106(b) (1).

In addition, this legislation is deliberately and carefully designed to provide parent control of any services offered. Thus, the bill requires that all programs funded would be selected, established and controlled by the parents of the children participating in them.

Finally, the bill is specifically designed to support and strengthen families. The very first part of the bill—section 2(a)—states that "the family is the primary and most fundamental influence on children" and that any programs funded by this act "must build upon and strengthen the role of the family." And, the bill specifically states that "nothing in this act shall be construed or applied in such a manner as to infringe upon or usurp the moral and legal rights and responsibilities of parents or guardians"—section 504(a).

It is for these reasons that the legislation is supported by a wide range of civic and religious organizations including the PTA, the AFL-CIO, the United Methodist Church, * * * the National Conference of Catholic Charities, the United Church of Christ, * * * the UAW, the American Academy of Pediatrics, the Child Welfare League of America, the National Council of Jewish Women, the American Home Economics Association, the National Association of Retarded Children, and the National Education Association.

It is obvious that none of these organizations would be supporting a proposal of the kind alleged in the unsigned materials being distributed. These organizations, and the Members of Congress who are sponsoring the Child and Family Services Act, are supporting this legislation precisely because it strengthens and supports families and children.

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Mr. President, this legislation was specifically drafted in such a way to assure that it would strengthen and support families, rather than weaken them. That is why we included the provisions I quoted earlier concerning the voluntary nature of the programs offered, the prohibitions against any infringement upon the rights and responsibilities of parents, and the statement of findings regarding the primary role of the family and the requirement that all programs build upon and strengthen the family.

During the hearings on this legislation we consistently asked witnesses whether, in their opinion, the bill did indeed strengthen families. In fact, we specifically asked the witnesses representing various churches whether the legislation would, in their opinion, strengthen or weaken families.

Their responses to that question were direct and unambiguous, and well worth quoting on this occasion.

Dr. John W. Baker, associate director of the Baptist Joint Committee on Public Affairs, an organization representing the Southern Baptist Convention, the American Baptist Churches in the U.S.A., the Baptist General Conference, National Baptist Convention of American, National Baptist Convention of U.S.A. Inc., North American Baptist Conference, Progressive National Baptist Convention, Inc., and the Seventh Day Baptist General Conference, was asked if the bill "strengthens rather than weakens the American family." He responded by stating: "I feel strongly that it does. I do not see any merit in the argument that I have heard to the contrary."

Ruth Gilbert, of the board of Global Ministries, United Methodist Churches, responded to the same question by stating:

I think that the arguments (suggesting that the bill would somehow weaken families) imply some form of coercion which I do not see in the legislation. Therefore, I would agree that it is a matter of choice, and therefore strengthens the family.

William Tremittier, manager of children's programs of the Tressler-Lutheran Service Associates responded by saying:

I think the bill is supportive, and would provide tremendous resources to families.

Rev. Msgr. Thomas Reese, director Catholic Social Services in Wilmington, Del., testifying on behalf of the National Conference of Catholic Charities, replied:

I would say that it would seem to me that a person who would think that these programs would weaken the family is just not aware of the facts of life.

Mr. President, the needs for the child and family services legislation have been well documented in the 12 days of hearings we have held in the past year. Forty percent of the young children in the United States have not been immunized fully against childhood diseases. The infant mortality rate in this country is shockingly and unnecessarily high—higher than that of 13 other nations. Almost two-thirds of preschool children with handicaps are not receiving the

special services they need. An estimated 200,000 children are struck each year by handicaps that could have been prevented if their mothers had received early health care. While there are almost 6 million preschool children whose mothers are working, there are only 1 million spaces in licensed day care homes and centers to serve them.

As I said when I introduced this bill, none of the provisions in it is etched in stone. Reasonable people can and do disagree about many aspects of this proposal. How much funding can we afford for this program given the budget deficit which exists? What services should be offered, and how can they be administered effectively and efficiently? What are the appropriate roles, if any, for public schools, and for profitmaking day care programs in legislation of this kind. These are the kinds of questions the Congress and the American public must debate and resolve during the consideration of a proposal of this kind. They are precisely the kinds of issues that the subcommittee addressed in its hearings, and on which we deliberately invited witnesses with differing viewpoints.

But, issues such as these must be debated on the basis of facts, not fantasies. And, decisions about them and the proposal in general must be decided on the merits. To approach this issue otherwise—especially in a way that totally misrepresents and distorts the purposes and provisions of the legislation under consideration—is a disservice to all Americans concerned about families and children.

Mr. President, I ask unanimous consent to have printed at this point in the Record a memorandum responding to the specific, inaccurate charges contained in one of the widely distributed, unsigned flyers which attacks the Child and Family Services Act: a brief summary of the Child and Family Services Act prepared by the Subcommittee on Children and Youth, and a section-by-section analysis of the child and family services bill.

There being no objection, the material was ordered to be printed in the Record, as follows:

MEMORANDUM: ATTACKS ON CHILD AND FAMILY SERVICES BILL

1. Unsigned Flyers entitled: "Raising Children—Government's or Parents Right?"

ATTACK

"There is before Congress legislation known as the Child and Family Services Act of 1975 (Senate: S. 626 and House: H.R. 2966). If passed it would take the responsibility of the parents to raise their children and give it to the Government."

FACT

This bill would in no way take the responsibility for child rearing away from parents. All programs authorized in the bill (S. 626 and H.R. 2966, Section 2(a)(2)) "must build upon and strengthen the role of the family and must be provided on a voluntary basis only to children whose parents or guardians request such services." In addition, any practices which would "infringe or usurp the moral and legal responsibilities of parents or guardians" is specifically prohibited (Section 504(a)).

ATTACK

"Child Advocacy Clause. In the Congressional Record we read: 'If, in the judgement of those who are in charge of such a program (the State by way of the Secretary of Health, Education and Welfare), parents are not doing a good job, the advocate (a "specialist" appointed by the government) would enter the home and direct the education, even within the home. And, if the parent would object, the authority in the home would, DeFacto, be transferred to these advocated (sic).'"

FACT

While this material may have appeared in the Congressional Record (although an exhaustive Record search has failed to discover it), it is categorically false to contend that: (a) such language appears in S. 626 or H.R. 2966; (b) such beliefs are held or advocated by any of the sponsors of S. 626 or H.R. 2966; or (c) that any "child Advocacy clause" of any kind appears in the bill (See "Special Note on the Congressional Record" below).

ATTACK

"Charter of Children's Rights of the National Council of Civil Liberties is becoming a part of this Child Development Act."

The flyers go on to list the following items in this charter, alleging that they can "be found on page 44136 of the Congressional Record":

"(1) All Children have the right of protection from, and compensation for the consequences of any inadequacies in their homes and backgrounds. (Note: In other words, never punish your child because he may come back to you with a civil suit.)"

"(2) Children have the right to protection from any excessive claims made on them by their parents or authority. The question was asked, by way of example, what do you mean by the fact "Excessive claim", and the example was given, "If the mother or father asked the child to take the garbage out and the child doesn't want to, the parents have no right to insist on it."

"(3) Children have the right to freedom from religious or political indoctrination. That means that you have no right to insist on taking them to church, if they do not wish to go. That also means they have the freedom to insist that they be taught nothing, or any ideas, about God."

"(4) Children shall have the freedom to make complaints about teachers, parents and others without fear of reprisals. This speaks for itself."

FACT

No such language or "charter" has ever been proposed, included or even considered for the Child and Family Services Act or any related piece of legislation. This "charter" initially surfaced during Senate debate on December 2, 1971 on the Conference Report on the Office of Economic Opportunity Act which included child care provisions. Senator Carl T. Curtis (R-Nebaska), an opponent of this measure, said, "In England, child development advocates have gone so far as to draft a charter of children's rights." Curtis continued by reading from something he called the Charter of Children's Rights" of "the British Advisory Center of Education and the National Council for Civil Liberties." Thus, these so-called "rights", never included in this legislation, and were never advocated by sponsors of this legislation. In fact, the "Council" cited is not even an American organization. (See "Special Note on the Congressional Record" below).

S. 626 and H.R. 2966 specifically state in Section 504(a) that "Nothing in this Act shall be construed or applied in such a manner as to infringe upon or usurp the moral and legal rights and responsibilities of par-

ents or guardians with respect to the moral, mental, emotional, physical, or other development of their children. Nor shall any section of this Act be construed or applied in such a manner as to permit any invasion of privacy otherwise protected by law, or to abridge any legal remedies for any such invasion which are otherwise provided by law."

ATTACK

"Can the Government Take Away Your Children? Comprehensive child development, the SOVIET-style system of communal child rearing which almost became law in this country in 1971 is once again being pushed through Congress. The current bills H.R. 2966 (House of Representatives) S. 626 (Senate), are virtually identical to the original act passed in 1971, but fortunately vetoed by the then president, Nixon. Now it is known as the Child and Family Services Act of 1975 and any changes are merely cosmetic."

"In vetoing the original bill which would have removed children from their parent's instruction shortly after birth, Mr. Nixon said that it would weaken the American family by committing 'vast moral authority of the national government to the side of communal approaches to child rearing over against the family oriented approach.'"

"We are in serious danger of 'Sovietizing' the education of our children if we let the Child and Family Services Act of 1975 pass. Those who support this Act in the Congress are convinced that it will 'Sail through the House.'"

FACT

This charge is of course, absurd and irresponsible. The sponsors of the bill have carefully drafted it to protect the rights of parents and their children:

First, participation in the program is completely voluntary. Children cannot participate without the specific request of a parent or legal guardian. (Section 2(a)(2) and Section 106(b)(1))

Second, the bill prohibits any practice which would "infringe upon or usurp the moral and legal rights and responsibilities of parents or guardians." (Section 504(a))

Third, a child cannot be tested unless the parent or guardian is informed and given the opportunity to exempt the child from testing. (Section 504(a))

Fourth, unlike the public school program, the child and family services programs are totally voluntary.

ATTACK

"According to the Congressional Record, the intent of the bill is for the government to be responsible . . . for the nutritional interests of your child, for all psychological interests of your child."

FACT

This statement is totally inaccurate and irrelevant to the legislation.

The intent of the bill is (Section 2(b)) "to provide a variety of quality child and family services in order to assist parents who request such services, with priority to those preschool children, and families with the greatest need, in a manner designed to strengthen family life and to insure decision-making at the community level, with direct participation of the parents of the children served and other individuals and organizations in the community interested in child and family service (making the best possible use of public and private resources), through a partnership of parents, State and local government, and the Federal Government, building upon the experience and success of Headstart and other existing programs." (See "Special Note on the Congressional Record" below).

In fact, the bill specifically prohibits any medical or psychological examination or

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treatment unless a child's parent or guardian provides written permission. (Section 504(c)).

ATTACK

"The following excerpts are taken from the Congressional Record: 'What is at issue is whether the parent shall continue to have the right to form the character of the children or whether the state, with all its power and magnitude, shall be given the decisive tools and technique for forming the young lives of the children of this country.'"

"As a matter of the child's right, the government shall exert control over the family because we have recognized that the child is not the care of the parents, but the care of the state (sic). We recognize further that not parental, but communal forms of upbringing have an unquestionable superiority over all other forms. Furthermore, there is serious question that maybe we cannot trust the family to prepare young children in this country for this new kind of world which is emerging."

"This all smells of Communism. This is what in fact has been and is being done in Soviet Russia. This is what can become the law of our land, if the Child and Family Service Act of 1975 is passed by the Congress. We elected this Congress, but do we know what they are attempting to do to our freedoms and our rights?"

FACT

These citations, if they did in fact appear in the Congressional Record, are diametrically opposed to the purpose and intent of the bill.

First, the programs are completely voluntary. (Section 2(a)(2) and Section 106(b)(1))

Second, the precisely stated purpose of the legislation is to "strengthen family life," not weaken it. (Section 2(b))

Third, the program is to be operated locally, not by the national government. (Section 104)

Fourth, the bill contains specific prohibitions against any practice infringing on the rights and responsibilities of parents. Section 504(a))

(See "Special Note on the Congressional Record" below).

SPECIAL NOTE ON THE CONGRESSIONAL RECORD

Throughout this leaflet, the "Congressional Record" is cited. The Congressional Record has the ring of an official pronouncement to it. But, anyone who has ever even glanced at the Record knows that it contains not only the debates in the House of Representatives and Senate but also speeches and material simply "inserted" into the Record. Any Member of Congress has the right to insert material in the Record, and therefore, the assertion that a statement is "according to the Congressional Record" is meaningless since the Record itself makes no statement of policy. Policy statements are made by the Members of Congress quoted in the Record.

This flyer provides a good example of the abuse of the citation of the Congressional Record. Senator Curtis of Nebraska included as part of his remarks on a bill considered by Congress in 1971 some material which he attributed to an organization in a foreign country. By misleading citation, the flyer implies that this material appeared in the Congressional Record this year and that it represents the contents of the bill. The bill's sponsors had never before seen this material.

CHILD AND FAMILY SERVICES ACT
(By the U.S. Senate Subcommittee on Children and Youth)

NEEDS

The infant mortality rate in the United States is higher than that of 13 other nations.

Each year an estimated 200,000 children are struck by handicaps which could have been prevented if their mothers had received early health care.

Forty percent of the young children of this country are not fully immunized against childhood diseases.

Sixty-five percent of all handicapped preschool children are not receiving special services.

There are only one million spaces in licensed day care homes and centers to serve the six million preschool children whose mothers are working.

PROPOSED SERVICES

The bill authorizes funding for local communities and parent organizations to choose among a wide variety of child and family services, including: prenatal health care; medical treatment to detect and remedy handicaps; nutrition assistance; and day care services for children of working mothers. The bill does not provide for compulsory preschool education.

PARENT CONTROL

Participation in all programs is totally voluntary, and limited to children whose parents request services.

All programs would be selected, established and controlled by parents whose children participate.

FAMILY STRENGTHENING

The bill states that "the family is the primary and most fundamental influence on children" and that "child and family service programs must build upon and strengthen the role of the family".

The bill has been specifically endorsed as family strengthening by a wide range of civil and religious organizations. * * *

CHILD AND FAMILY SERVICES ACT OF 1975. S. 620

SECTION-DIV-SECTION ANALYSIS

Section 1

Section 2

Statement of Findings and Purpose.—Finds that "the family is the primary and most fundamental influence on children; that child and family services must build upon and strengthen the role of the family and must be provided on a voluntary basis only to children whose parents request them" with priority for preschool children with the greatest economic and human need; that there is a lack of adequate child and family services; and that there is a necessary for planning and operation of programs as partnership of parents, community, state and local governments, with appropriate federal supportive assistance.

Purpose is to "provide a variety of quality child and family services in order to assist parents who request such services, with priority to those preschool children and families with the greatest economic or human needs, in a manner designed to strengthen family life and to insure decision-making at the community level" and provide decision-making with direct parent participation through a partnership of parents, State, local and Federal government.

Section 3

Authorization of Appropriations.—Authorizes \$150 million for fiscal 1976 and \$200 million for FY 1977 for training, planning, and technical assistance and \$500 million in FY 1977 and \$1 billion in FY 1978 for program operation. Headstart would be funded under separate authority, and its funding protected by a requirement that no operational funds could be appropriated for this new program unless and until Headstart is funded at the

level it received in FY 1975 or FY 1976, whichever is higher.

Forward funding is authorized.

TITLE I—CHILD AND FAMILY SERVICES PROGRAMS

Section 101

Establishes Office of Child and Family Services in HEW to assume the responsibilities of the Office of Child Development and serve as principal agency for administration of this Act, and Child and Family Services Coordinating Council with representatives from various federal agencies to assure coordination of federal programs in the field.

Section 102

Financial Assistance.—Define purposes for which federal funds can be used: (1) planning and developing programs, (2) establishing, maintaining, and operating programs, including part-day or full-day child care in the home, in group homes, or in other child care facilities; other specially designed programs such as after-school programs; family services, including in-home and in-school services; information and referral services to aid families in selecting child and family services; prenatal care; programs to meet special needs of minorities, Indians, migrants and bilingual children; food and nutrition services; diagnosis of handicaps or barriers to full participation in child and family services programs; special services for handicapped children within regular programs; programs to extend child and family service gains, including parent participation, into the elementary schools; (3) rental, renovation, acquisition, or construction of facilities, including mobile facilities; (4) pre-service and inservice training; (5) staff and administrative expenses of councils and committees required by the Act; and (6) dissemination of information to families.

Section 103

Allocation of Funds.—Reserves funds proportionately for migrant and Indian children, not less than 10% for services to handicapped children, and not less than 5% for monitoring and enforcement of standards.

Allocates the remainder among the states and within the states, 50% according to relative number of economically disadvantaged children, 25% according to relative number of children through age five, and 25% according to relative number of children of working mothers and single parents.

Allows use of up to 5% of a state's allocation for special state programs under Section 108.

Section 104

Prime Sponsors.—States, localities, combinations of localities or public and nonprofit organizations are eligible to serve as prime sponsors.

The bills current provisions establish performance criteria for prime sponsor, demonstrated interest in and capability of running comprehensive programs, including coordination of all services for children within the prime sponsorship area; assurances of non-federal share; establishment of a Child and Family Services Council (CFSC) to administer and coordinate programs.

Public or private nonprofit organizations can serve as prime sponsors with priority on governmental units. Any locality or combination of localities which submits an application meeting the performance criteria may be designated prime sponsor if the Secretary determines it has the capacity to carry out comprehensive and effective programs. The state may be designated prime sponsor for all areas where local prime sponsors do not apply or cannot meet the performance criteria, provided that the state meets the performance criteria and divides its area of juris-

isdiction into local service areas with local child and family services councils which approve the relevant portions of the state's plan and contracts for operation of programs within the local service areas.

The Secretary may fund directly an Indian tribe to carry out programs on a reservation. He may also fund public or private nonprofit agencies to operate migrant programs, model programs, or programs where no prime sponsor has been designated or where a designated prime sponsor is not meeting certain needs.

Directs the Secretary to designate an alternative to any prime sponsor discriminating against minority group children or economically disadvantaged children.

Provides opportunity for Governor to comment on prime sponsorship applications and provides appeal procedure for applicants who are disapproved.

The sponsors want to particularly emphasize that as the bill is considered they intend to invite the testimony of representatives of Federal, State, and local government, as well as other experts, with respect to the best allocation of responsibility among various levels of government which will insure parental involvement, local diversity to meet local needs and appropriate State involvement to assure coordination and maximum utilization of available resources.

Section 105

Child and Family Service Councils.—Sets forth composition, method of selection, and functions of councils. Half of members must be parents, selected by parents of children served by programs under the Act. The remaining members appointed by the prime sponsor in consultation with parent members, to be broadly representative of the general public, including representatives of private agencies in the prime sponsorship area operating programs of child and family services and at least one specialist in child and family services. At least one-third of the total council to be economically disadvantaged.

A state prime sponsor must establish councils at the state level and for each local service area. Parent members of the state council to be selected by parent members of local councils.

Council approves goals, policies, action and procedures of prime sponsors, including planning, personnel, budgeting, funding of projects, and monitoring and evaluation.

Section 106

Child and Family Service Plans.—Requires that prime sponsor submit plan before receiving funds. Plan must "provide that programs or services under this title shall be provided only for children whose parents request them"; identify needs and purposes for which funds will be used; give priority to children who have not reached six years of age; reserve 65 percent of the funds for economically disadvantaged children, and priority thereafter to children of single parents and working mothers; provide free services for children of families below the Bureau of Labor Statistics lower living standards budget and establish a sliding fee schedule based on ability to pay for families above that income level; include to the extent feasible, children from a range of socioeconomic backgrounds, meet the special needs of minority group, migrant, and bilingual children; provide for direct parent participation in programs, including employment of parents and others from the community with opportunity for career advancement; establish procedures for approval of project applications with priority consideration for ongoing programs and applications submitted by public and private non-profit organizations; provide for coordination with other prime sponsors and with other child care and

related programs in the area; provide for monitoring and evaluation to assure programs meet federal standards; where possible, supplement funds provided by this Act with assistance from other sources.

Requires that the Governor, all local education agencies, Headstart and community action agencies have the opportunity to comment on the plan.

Establishes appeal procedures if plans are disapproved.

Section 107

Project Applications.—Provides for grants from prime sponsor to public or private organizations to carry out programs under the prime sponsor plan pursuant to a project application approved by the CSFC.

The project applicant must establish a parent policy committee (PPC), composed of at least 10 members with 50% parents of children served by the project, at least one child care specialist, and other representatives of the community approved by the parent members. The PPC must participate in the development of project applications and must approve basic goals, policies, action and procedures of the applicant, including personnel, budgeting, location of center, and evaluation of projects.

The application must: provide for training and administrative expenses of the PPC; guarantee free services for economically disadvantaged children with fees according to the fee schedule for other children; assure direct participation of parents and other family members, including employment opportunities; provide for dissemination of information on the project to parents and the community; and provide opportunities for the participation of children, regardless of participation in nonpublic school programs.

Section 108

Special Grants to States.—Authorizes special grants to the states, on approval of Secretary, to establish a child and family services information program to assess goals and needs in state; to coordinate all state child care and related services; to develop and enforce state licensing codes for child care facilities; and to assist public and private agencies in acquiring or improving such facilities. A state must establish a Child and Family Services Council to receive a special grant.

Section 109

Additional Conditions for Programs Including Construction or Acquisition.—Allows federal funding for construction or acquisition only where no alternatives are practicable, and provides federal funding for alteration, remodeling, and renovation. Provides that no more than 15% of a prime sponsor's funds may be used for construction; that no more than half of that may be in the form of grants rather than loans, limited to public and private non-profit agencies, organizations, and institutions.

Section 110

Use of Public Facilities for Child and Family Service Programs.—Requires that federal government and prime sponsors make available for child and family service programs facilities they own or lease, when they are not fully utilized for their usual purposes.

Section 111

Payments.—Provides 100% federal share for planning in FY 1970, 90% federal share for fiscal 1977 and 1978, 80% for subsequent fiscal years. Provides 100% federal share for programs for migrants and Indians, and allows waiver of part of all of non-federal share where necessary to meet needs of economically disadvantaged children.

Non-federal share may be in cash or in kind. Revenues generated by fees may not be used as non-federal share but must be used by prime sponsor to expand programs.

TITLE II—STANDARDS, ENFORCEMENT, AND EVALUATION

Section 201

Federal Standards for Child Care.—Authorizes a national committee on federal standards, with one-half parent participation, to establish standards for all child care services programs funded by this or any other federal act. The 1968 Interagency Day Care Requirements would continue to apply until such standards are promulgated, and any new standards must be consistent with the 1968 Requirements.

The Secretary must submit the proposed standards for approval to the Senate Committee on Labor and Public Welfare and the House Committee on Education and Labor. No prime sponsor or project applicant is allowed to reduce services below these standards.

Section 202

Development of Uniform Code for Facilities.—Requires a committee to develop a uniform minimum code dealing with health and safety of children and applicable to all facilities funded by this Act.

Section 203

Program Monitoring and Enforcement.—Requires the Secretary through the Office of Child and Family Services, to establish an adequately trained staff to periodically monitor programs to assure compliance with the child care standards and other requirements of the Act.

Section 204

Withholding of Grants.—Provides procedure for withholding of funds to programs which have failed to comply with standards or requirements of the Act.

Section 205

Criteria With Respect to Fee Schedule.—Requires Secretary to establish criteria for adoption of the schedule based on family size and ability to pay with considerations for regional differences of the cost of living. The criteria must be submitted for approval by the Senate Committee on Labor and Public Welfare and the House Committee on Education and Labor.

Section 206

Evaluation.—Requires the Secretary to make annual evaluations and report to Congress on federal child family services activities.

TITLE III—RESEARCH AND DEMONSTRATIONS

Section 301

Research and Demonstration.—Authorizes child and family services research and requires that the Office of Child and Family Services coordinate research by federal agencies.

TITLE IV—TRAINING OF PERSONNEL FOR CHILD AND FAMILY SERVICES

Section 401

Preservice and Inservice Training.—Provides for training of personnel, including volunteers, employed in programs assisted under this Act.

Section 402

Technical Assistance and Planning.—Provides technical assistance to child and family services programs.

TITLE V—GENERAL PROVISIONS

Section 501

Definitions.—Defines terms used in the Act.

Section 502

Nutrition Services.—Requires that procedures be established to assure adequate nutrition services in programs under the Act, including use of Section 13 (special food service programs) of the School Lunch Act and the Child Nutrition Act.

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Section 503

Special Provisions.—Anti-discrimination provisions, including separate provisions on sex discrimination. Requires that programs meet the minimum wage. Prohibits use of funds for constructing, operating, or maintaining facilities for sectarian instruction of religious workshop.

Section 504

Special Prohibitions and Protections.—States that "Nothing in this Act shall be construed or applied in such a manner as to infringe upon or usurp the moral and legal rights and responsibilities of parents or guardians with respect to the moral, mental, emotional, physical, or other development of their children. Nor shall any section of this

Act be construed or applied in such a manner as to permit any invasion of privacy otherwise protected by law, or to abridge any legal remedies for any such invasion which are otherwise provided by law."

Section 505

Public Information.—Requires that all applications, plans, and written material pertaining thereto be made available to the public without charge.

Section 506

Repeal or Amendment of Existing Authority and Coordination.

Section 507

Acceptance of Funds.

VI. STATEMENTS OF RELIGIOUS ORGANIZATIONS

(29)





Congressional Record

PROCEEDINGS AND DEBATES OF THE 94th CONGRESS, FIRST SESSION

Vol. 121

WASHINGTON, FRIDAY, DECEMBER 12, 1975

No. 184

Senate

INTERRELIGIOUS STATEMENT ON THE CHILD AND FAMILY SERVICES ACT

Mr. MONDALE. Mr. President, as many of my colleagues are aware, the Child and Family Services Act is being subjected to an outrageous and totally dishonest propaganda attack.

As I pointed out in my speech in the Senate on November 19, 1975, wild and completely false allegations are being made that this legislation would somehow give children the legal right to disobey their parents; somehow prohibit parents from providing religious training to their children; somehow give the Government authority over child rearing; and somehow give children the right to complain about their parents and teachers "without fear of reprisal."

These allegations are absolutely and completely false. There is not a shred of truth in any one of them. If there were, neither I nor any Member of Congress, would be sponsoring this legislation.

In that earlier speech rebutting this attack, which appeared on pages S20397 through S20401 of the November 13 Record, I included material rebutting each of the allegations made in the widely circulated, unsigned flyer; an accurate summary of the Child and Family Services Act, and a section-by-section analysis of the legislation.

Mr. President, today I would like to bring to the attention of my colleagues and the public, an interreligious statement on the child and family services bill.

This statement, signed by 14 religious organizations who have reviewed this bill, represents a thorough and objective rebuttal of the outrageous and dishonest attacks. I ask unanimous consent that this interreligious statement be printed in the Record, and I commend it to the attention of my colleagues and members of the public.

There being no objection, the statement was ordered to be printed in the Record, as follows:

INTERRELIGIOUS STATEMENT ON THE CHILD AND FAMILY SERVICES BILL

In December of 1971 both the House and the Senate passed the Comprehensive Child Development Act of 1971. Supported by a coalition of peace and civil rights groups, labor unions, women's groups, churches, educators, and community and citizens organizations, the bill would have amended Title V of the Economic Opportunity Act "to provide every child (through age 14) with a fair and full opportunity to reach his full potential by establishing and expanding comprehensive child development programs." This bill was vetoed by President Nixon.

In February of 1975, Sen. Mondale (D-Minn.) introduced a very similar bill, S. 626, The Child and Family Services Act of 1975. Rep. Brademas (D-Ind.) introduced a companion bill (H.R. 2666) in the House. This bill would establish programs of part-day and full-day child care, prenatal care, special services for minority group children, food and nutrition programs, aid for handicapped children, and various types of assistance to families with special needs.

The Child and Family Services Act is now under attack by groups and individuals charging that it would give government undue authority over family life. In fact, some groups have charged that the proposed legislation would make the "government responsible for . . . the religious interests of your child," give "children the right to protection from any excessive claims made on them by their parents," and make preschool education "compulsory" for all children beginning at age three.

These charges are totally inaccurate. There is nothing in this legislation that relates to religious preferences or religious instruction; nothing that relates to or alters the existing legal relationship between parents and their children; and nothing that provides for compulsory preschool education, or for compulsory service of any kind.

What it seeks to do, instead, is to strengthen and support families in their efforts to provide their children—on a totally voluntary basis—with the basic health, education and other services they want for them but too often cannot afford. Thus, it authorizes funding for a variety of child and family services including prenatal health care, medical treatment to detect and remedy handicapping conditions, and day care services for children of working parents.

Most importantly, any and all of these programs are totally voluntary, and limited to children whose parents request the services. Parent control is further assured by requirements that all programs would be selected, established and controlled by parents whose children participate in them.

A careful reading of the bill reveals that it will support families, not weaken them. The bill states, for example, that the "family is the primary and most fundamental influence on children" and that "child and

family service programs must build upon and strengthen the role of the family."

The need for legislation of this kind is clear. The infant mortality rate in the United States is higher than that of thirteen other nations. Each year an estimated 200,000 children are struck by handicaps which could have been prevented if their mothers had received early health care. Forty percent of the young children of this country are not fully immunized against childhood diseases. Sixty-five percent of all handicapped preschool children are not receiving special services. There are only one million spaces in licensed day care homes and centers to serve the six million preschool children whose parents are working.

Debate over legislative proposals such as this Child and Family Services Act should be based on the facts, and decided on the merits. To do otherwise—to misrepresent the purpose and provisions of the legislation under discussion—is a disservice to all Americans concerned about families and children.

American Jewish Committee, Ms. Anne Wolfe, Director, Social Welfare
Christian Church (Disciples of Christ),
Disciples Peace Fellowship.

Christian Church (Disciples of Christ),
Department of Church in Society, Division
of Homeland Ministries.

Church of the Brethren, Washington Office
Friends Committee on National Legislation.

National Conference of Catholic Charities.
National Council of Churches.
Lutheran Children's and Family Services,
St. Louis, Missouri.

National Council of Jewish Women, Mrs.
Esther R. Lands, National President.

Network.
Synagogue Council of America.

United Church of Christ, Center for Social
Action.

United Methodist Church, Women's Division,
Board of Global Ministries.

United Presbyterian Church, U.S.A., Washington
Office.

ARCHDIOCESE OF SAINT PAUL AND MINNEAPOLIS

226 Summit Avenue
Saint Paul, Minnesota 55102

Office of the Archbishop

December 15, 1975

The Honorable Walter F. Mondale
United States Senate
Senate Office Building
Washington, D.C. 20510

Dear Senator Mondale,

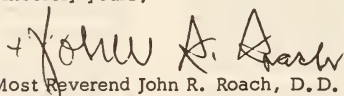
The Board of Directors of the Minnesota Catholic Conference met on December 10 and one of our items for discussion was an informational item concerning your Child and Family Services Bill.

The attacks on that bill are dishonest and we, as the Bishops of Minnesota, deplore them.

The bill would fill an urgent need and, at least as we read it, is very careful in providing proper protection for the rights of parents.

If this letter of support for your bill can be used to its advantage, we want to raise our voices in support of it.

Sincerely yours,



Most Reverend John R. Roach, D.D.
Archbishop of Saint Paul and Minneapolis

NEWS SERVICE OF THE

UNITED METHODIST INFORMATION

 Phone: (612-571-2733)
 xxxxxx

MINNESOTA ANNUAL CONFERENCE

 THE UNITED METHODIST CHURCH
 122 WEST FRANKLIN AVENUE
 MINNEAPOLIS, MINNESOTA 55404
 Rev. Ray Boehlke, Dir. of Outreach

For Immediate Release

METHODIST BISHOP SPEAKS FOR CHILD CARE BILL

Reacting to charges made against Senator Walter Mondale's Child Care Bill, Wayne K. Clymer, resident Bishop of the United Methodist Church in Minnesota, says "Vicious attacks upon this bill are ill informed and dishonest. There may be ways of amending and improving the bill, but as it now stands it is legislation needed for the health of many families in our country."

The Bishop commented that the reading of the Child and Family Services Act of 1975 (Senate 626) leads to the conclusion that it is "an enlightened approach to families in need. The intent of the legislation is to strengthen the resources for family life and to provide help for families in special need."

"This help," he added, "is for those who request the assistance and does not legislate for families who do not wish to receive assistance. Careful provision is made to protect the moral and religious training of the family and in no way removes children from the care of the parents."

Replying to a question regarding the unsigned mailings now being received by churches throughout the state, the Bishop responded, "I hope that the people of our churches will read this legislation before giving credence to attacks upon it. I would especially urge members to read Vol. 121, No. 173 of the Congressional Record, dated November 19, 1975."

Rather than opening the door to governmental interference within the family, Bishop Clymer finds that the bill "is very careful to provide for the protection of the human rights of all persons concerned."

- 30 -

 BB:mo
 1/29/76

Office of Communications
The American Lutheran Church
422 S Fifth Street
Minneapolis, Minnesota 55415

Jan. 24, 1976

Herb W. David
612/338-3821
612/729-3838 (home)

MINNEAPOLIS--Dr. David W. Preus, president of The American Lutheran Church, said here today that he found nothing alarming in Senator Walter Mondale's child care bill and suggested that persons expressing opinions on the measure should be fully informed concerning its provisions.

After studying the proposed bill, Dr. Preus said, "This is important legislation which deserves the most careful hearing; false and misleading information could handicap its consideration."

The bishop of the 2.4 million member denomination added, "Responsible citizenship calls for thorough examination of issues rather than impetuous support of anonymous accusations."

Dr. Preus' comments were prompted by unsupported attacks being widely circulated in Minnesota against the Mondale bill by unidentified persons and/or organizations.

NOTE: For possible use with your report of the Mondale press conference today.

**VII. LETTER FROM SENATORS BARTLETT
AND MANSFIELD**

(35)

JOHN C. STENNIS, MISS., CHAIRMAN
ETUANT EYINGTON, MO.
HENRY M. JACKSON, WASH.
HOWARD W. CANNON, NEW.
THOMAS J. MCINTYRE, N.M.
HARRY F. BYRD, JR., VA.
SAM NUNN, GA.
JOHN C. CULVER, IOWA
GARY HART, COLO.
PATRICK J. LEAHY, VT.
STROM THURMOND, S.C.
JOHN TOXER, TEX.
BARRY GOLDWATER, ARIZ.
WILLIAM L. SCOTT, VA.
ROBERT TAFT, JR., OHIO
DEWEY F. BARTLETT, OKLA.

T. EDWARD BRASWELL, JR., CHIEF COUNSEL AND STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, D.C. 20510

November 20, 1975

Senator Walter Mondale
United States Senate
Room 443 RSOB
Washington, D.C. 20510

Dear Walter:

It has come to my attention that some mimeographed materials relating to S. 626 have been circulating in Oklahoma, and that the information indicates that it came from me or a member of my staff.

I want to assure you that neither I nor a member of my staff had anything to do with either providing or distributing the information.

I have read the information and am familiar enough with the legislation to know that the information contained in the handout is misleading.

I personally do not believe that legislation should be attacked in this manner, but rather debated and challenged in an open forum.

Sincerely,


Dewey F. Bartlett
United States Senate
O K L A H O M A

DFB/dk1

(37)

MIKE MANSFIELD
MONTANA

United States Senate
Office of the Majority Leader
Washington, D.C. 20510

March 4, 1976

Honorable Walter F. Mondale
United States Senate
Washington, D. C. 20510

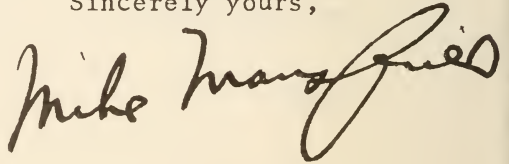
Dear Senator Mondale:

I am writing to express my deep concern about the nature of the debate which has arisen over your proposed "Child and Family Services Act."

Although it is clear that the legislation raises a number of points of legitimate debate, it is distressing to see that its opponents have instead based their opposition on a collection of misrepresentations. I know that you and the other supporters of the bill have been working hard to counteract this misinformation by presenting the facts to interested parties and organizations. I just want you to know that I do not approve of misrepresentations on this or any other legitimate legislative proposal.

With best personal wishes, I am

Sincerely yours,

A handwritten signature in dark ink, reading "Mike Mansfield". The signature is written in a cursive, flowing style with a large, sweeping loop at the end of the last name.

**VIII. SELECTED ARTICLES AND OTHER
RELEVANT MATERIALS**

(39)

How 'Rights' Letter Came To Houston

What the child and family plan really would provide. Sec. 1, Page 6.

BY RICHARD FLY
Chronicle Staff

An anonymous letter warned that a bill pending in Congress would destroy the American family.

The letter made its way from a revival meeting in Missouri to a compost and feed company in Kansas and from there to a Beeville merchant and thence to a Houston radio station. It ended up in offices of more than 50 school superintendents in the Houston area.

In the fashion of a chain letter, the unsigned epistle was copied, passed along and copied again as people reacted with alarm to the claims in the letter that the Child and Family Service Act of 1975 would destroy family structure and make children wards of the state.

The actual legislation bears little resemblance to the bill described in the letter. But few of the letter's recipients questioned whether it was true before passing the letter along.

The letter arrived in Houston about four weeks ago. It was first publicized by KTRH radio personality Dewey Compton, who read the letter on his program and asked listeners to write their congressmen opposing the bill.

Compton said his office distributed about 200 copies of the letter at the request of listeners.

One of those listeners was a Galveston County school administrator, who passed the letter along to the Region IV Education Service Center, an office of the Texas Education Agency, in Houston.

The center's director, T. S. Hancock, was alarmed by the letter, he said, and sent it to the more than 50 school district superintendents in the region.

In a note attached to the letter, he said: "I urge that you take the time to read the attached information. I believe it has frightening implications to our American way of life."

At least one superintendent, Dr. C. Lee Meyer of the Pasadena school district,

(See HOW, Page 6)

How 'Children's Rights' Letter Reached Houston

FROM-PAGE 1

then passed the letter along to the district's personnel.

The majority of the statements in the letter are excerpted from the Congressional Record, a daily chronicle of proceedings in Congress.

However, Phil Moseley, a press aide to U.S. Rep. Bill Archer of Houston, researched the contents of the letter. He said most of the statements are taken out of context and tied together in such a way as to distort their meaning.

The statements are taken from the record of debate on Dec. 2, 1971. At that time, Congress was debating a similar, but stronger, bill than the one now before them.

Moseley pointed to several inaccuracies and distortions in the letter.

One part of the letter mentioned a "Charter of Children's Rights." Proposed items in this charter were:

"All children have the right of protection from and compensation for the consequence of any inadequacies in their homes and backgrounds."

"Children have the right to protection from any excessive claims made on them by their parents or authority."

"Children shall have the freedom to make complaints about teachers, parents and other without fear of reprisals."

The charter was referred to by Sen. Carl T. Curtis, R-Neb., during debate on Dec. 2, 1971, as an example of how far the legislation could go in its interpretation. The charter, Curtis said, was recommended in England by an education advisory commission and was the product of the English National Council of Civil Liberties.

The letter did not mention that the "charter" originated in England among a group of Socialists, was not part of English law and was not planned for inclusion in Congress's legislation.

In addition, Moseley said, three paragraphs at the end of the letter, purportedly from the Congressional Record, actually are a compilation of statements from debate on the legislation, an unrelated article on education and child raising in the Soviet Union and other material apparently added by the letter's unknown author.

One sentence from this portion of the letter said:

"As a matter of the child's right, the government must exert control over the family because we have recognized that the child is not the care of the parents but the care of the state."

That sentence is from the article on the Soviet Union.

How the letter made its way from Kansas to Houston is a saga of happenstances.

Hancock of the Region IV center, received a copy of the letter from an assistant. Tom Pate, Pate received the letter from Dr. Henry Willis, assistant superintendent of the Santa Fe school district in Galveston County, who received a copy from Compton.

Compton received his copy from Jack M. Mason, a Beeville resident whose agricultural products business is a sponsor of Compton's radio program. Mason received the letter from George Seacal, a compost retailer in Ashland, Kan., who

received it from a friend.

Seacal's friend picked up the letter in the Dodge City Office Supply Co., Dodge City, Kan.

The letters arrived in the store from an unknown source, the company's manager said.

Here there is a gap which picks back up at Radio Station in KMAN in Manhattan, Kan.

The press director of the Kansas Farm Bureau, a conservative lobby group, based one of his KMAN radio programs on the family service legislation. He interviewed a farmer, Richard Bayshor, who had heard a broadcast on Radio Station KFRM in Wichita, Kan., opposing the bill and referring to statements made in the letter.

KFRM did its broadcast on the basis of a note to the editor clipped from the Salina, Kan., Journal.

The note, written by David and Karen Smith, was based on the letter.

Smith received the letter from Richard Burson, retired director of the Kansas Bible Camp near Hutchinson.

Burson was the source of the letter which reached Houston and many other parts of the country.

"I only put out a thousand of them," Burson said, "and I'm surprised how far they've scattered."

He said he compiled his one-page letter from a three-page pamphlet he received from his brother-in-law's sister. She received the pamphlet at a revival in Missouri.

He rewrote the letter to make it shorter and tone down the "screaming" language, Burson said.

Burson's letter appears to be the one which has circulated the farthest and had the largest effect.

He said he stopped distributing the letter about a week after he started. He did so, he said, because he found out the letter was misleading.

"I think that many people who read this and seem to think that the Congressional Record account that is presented is the bill. But it isn't the bill. It is simply a discussion of the bill by people who were opposed to it," he said.

He also said people would be led to believe the statements in the letter referred to the 1975 bill. Actually, he said, it refers to the 1971 legislation.

Burson said he is "sort of sorry" he distributed the letter, because he has since received better information about the bill from Sen. Robert Dole, R-Kan., which he plans to distribute.

But the effects of the letter cannot so easily be dispersed.

Congressmen are receiving a large number of letters and phone calls about the legislation.

Hearings on the bill in the House subcommittee on education ended July 16. No action has been taken on it, so it appears doubtful that it will get out of committee before the end of the year.

But the letters keep coming.

What the Child and Family Plan Really Would Provide

BY JUDY WIESSLER

Chronicle Washington Bureau

Washington — Until a few weeks ago, the Child and Family Services Act of 1975 was just another of the hundreds of bills with popular-sounding titles and steep price tags languishing in congressional subcommittees.

Then, with a speed and intensity that neither congressional opponents nor proponents profess to fully understand, the bill became the subject of torrents of mail to members of Congress. Most of it was negative and based on false impressions of what the legislators would do.

Sponsored by Sen. Walter F. Mondale, D-Minn., and John Brademas, D-Ind., the bill is controversial in its own right.

But not because it would take children away from their parents, put them in communes, allow them to organize labor unions or sue their parents if they were forced to go to Sunday school or mow the lawn.

Such allegations, circulated broadly and anonymously, are seen by both sides as a threat to the prospect of serious debate on the real issue of whether the federal government should invest millions of dollars in a broad, new social program.

Even opponents of the bill, like Rep. Bob Casey, D-Houston, are uncomfortable with some of the propaganda. Casey is against the bill because he thinks "it costs too much and the federal government shouldn't be setting up day care centers across the country," an aide said. But he added that many constituents are writing letters based on information that is "inflammatory and completely false."

What the bill actually proposes is expenditure of \$150 million next year, increasing to \$1 billion in 1978, for a wide range of programs, including day care and health services, for children and, in some cases, their parents.

Priority would be given to services for children under 6, to needy families, families with working mothers and minorities.

Although the programs would be mostly funded by the federal government, they would be operated on the local level by governing boards on which parents of participating children could make up at least half the membership.

Children would not be allowed to participate in any of the programs unless their parents or legal guardians specifically requested that they do so. The bill prohibits any practice which would "infringe upon or usurp the moral and legal responsibilities of parents or guardians."

Parental permission would be required for any research or experimentation or medical or psychological examination involving a child.

The bill would establish a new Office of Child and Family Services within the Department of Health, Education and Welfare to coordinate the local programs.

Units of local government, such as cities and counties, would apply to HEW to become "sponsors" of the programs and would set up the local governing boards with parent representatives.

The local boards would decide what kinds of programs are needed in their areas, choosing from a long list of the kinds of services authorized.

These include day care, educational programs before and after school and in the summer, family counseling, prenatal and post-partum medical care to mothers who cannot afford to pay, special help such as bilingual tutoring for minorities and migrants and activities geared to physically, mentally or emotionally handicapped children.

The bill requires that information be disseminated regularly to parents about available activities, that parents be consulted regularly on each child's development and that parents be allowed to "observe and participate in their children's activities."

Provisions of the bill have been sufficiently appealing to attract 29 cosponsors in the Senate and 94 in the House, including Reps. Barbara Jordan, D-Houston, and Henry B. Gonzalez, D-San Antonio.

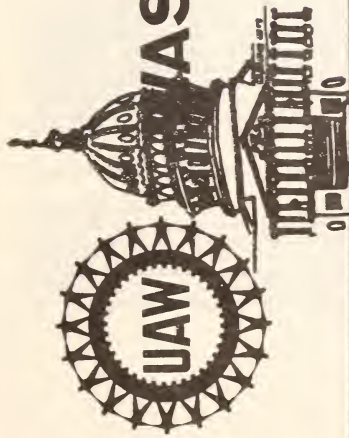
But there is considerable skepticism, shared privately by some proponents, that the bill will become law unless it is scaled down dramatically.

Sponsors assume President Ford would veto such an expensive measure and acknowledge it could be difficult to muster the two-thirds vote necessary for an override, especially in the Senate.

A very similar Mondale-Brademas bill was killed in 1971 when Congress failed to override a veto by then-President Richard Nixon, who called the earlier bill "family weakening."

However, sponsors have a list of more than 80 groups which they say have endorsed the measure as "family strengthening." Those include the National Parent-Teachers Association, National Educational Association, National Association of School Boards, AFL-CIO, American Association of University Women, Girl Scouts of America, Boys Clubs of America, Salvation Army and National League of Cities.

Religious groups supporting the bill include the United Methodist Church, Baptist groups, Church of God, United Church of Christ, Episcopal Church, American Lutheran Church and B'nai B'rith.



WASHINGTON REPORT

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Vol. 15, No. 44

November 24, 1975

United Automobile, Aerospace, and Agricultural Implement Workers of America, UAW

A SLEAZY CAMPAIGN to misrepresent the Child and Family Services Act is now well underway—with halfbaked claims appearing on TV editorials. It comes as poor grace for the rightwingers among us to spread lies about child daycare centers for working mothers—when they have made life so miserable for working women and they have worked on the political hustings to deny decent medical care and decent food for millions of children. There are 27 million children in the U.S. today—six million of them under age 6—who need help in medical attention, food, and other care. There are 13 million working women with children under age 18, 4.8 million working women with children under 6. Women work for the same reason that men do—so they can keep a roof over their head, feed their families, and make a decent living.

THE PROPOSED LAW under attack gives mothers prenatal health care, would give medical treatment to detect and remedy handicaps; provide nutritional assistance and daycare services for children of working mothers. Participation in the entire program is entirely

voluntary and all programs would be selected and established by parents whose children participate. The bill says "the family is the primary and most fundamental influence on children"—but the rightwingers totally ignore this and imply that kids and their mothers would be regimented and 'brainwashed' by federal bureaucrats. All of which is a neat way to coverup years and years of child neglect—where mothers must work at low pay, often at great cost to the wellbeing of their children—but work because the necessities of life require it.

SENATOR MONDALE and Congressman Brademas have taken much of the heat in this campaign of deceit and dishonesty. But the facts are clear—the family services law would greatly help working women and especially their children who often pay the highest price for the poverty in which such women find themselves because our system works against women in the world of work.

Kansas City Star
November 30, 1975

Misleading Charges Against Child Care Act

By Robert P. Sigman
An Editorial Writer

The handwritten letter, attached to an article that had been clipped from an area newspaper, expressed apprehension and not a little indignation. After all, a story with a headline, "Child Raising...A Task for Parents or Government?" holds ample potential for provocation. The concern, a reading of the letter and the story revealed, centered on the Child and Family Services Act of 1975, legislation now before Congress.

Information about this act should be spread, the writer insisted, "and your paper should be urging people to write letters about it." The tone of the letter is captured in this passage:

"I don't want the government ruling my life any more than it already does and certainly not telling me how to raise my children. It is nothing but communism no matter how you look at it and whoever thought it up and is working for its passage should be tried for treason."

The writer of the letter, a Grandview woman, admonished the media to sound the warning. "It seems to me the newspapers and other news sources aid and abet this practice (passage of legislation without sufficient public exposure) by not printing information about such things for those who will be affected by it."

Fair enough. If the Child and Family Services Act of 1975 has provisions described in the story mailed to The Star, there is good cause for wide discussion. The article in the area newspaper states flatly, for example, that a set of children's rights are included in the act. "They can be found on page 44138 of the Congressional Record," states the story with an inflection of documentation.

These children's rights cover compensation for the consequences of inadequacies in the homes and backgrounds of children; protection from excessive claims made on them by their parents or authority; freedom from religious or political indoctrination and the right to complain about teachers and parents without fear of reprisal.

"According to the Congressional Record," the story as-

Editorial Notebook

serts, "the intent of this bill is for the government to be responsible...for the nutritional interests of your child, and for all psychological interests of your child."

An "excerpt" purported by the article to be from the Congressional Record states that "as a matter of the child's right, the government shall exert control over the family because we have recognized that the child is not the care of the parents but the care of the state."

The writer of the article concludes, based on the citations in the Congressional Record, that the Child and Family Services Act would lead to a "SOVIET-style system on communal child rearing which almost became law in this country in 1971 (and) is once again being pushed through Congress." The 1971 proposal was vetoed by President Nixon.

Whether you favor or oppose children's rights and government-sponsored child care programs, this legislation pending in both houses of Congress is of interest. So we obtained copies of H.R. 2966 and S. 626 (bills designated the Child and Family Services Act of 1975) from the office of Rep. Richard Bolling (D-Mo.). We read them. None of the information in the newspaper article jumped immediately to the eye. Must have read too fast. We read the house bill, a 71-page document, again. Slowly and carefully.

Funny thing. The language in the area newspaper article wasn't there.

A telephone call was placed to the Washington office of Rep. John Brademas (D-Ind.), sponsor of the House bill. Frank Sullivan, an aide who has been handling inquiries on the 1975 act, was asked a series of questions. Could it be there had been a mistaken identification of the bill? Or that the measure had been amended or another introduced in its place? Sullivan replied in the negative on all

Kansas City Star
November 30, 1975
(continued)

counts. What then, of the claims that the children's rights provisions are in the Brademas legislation (as well as in the Senate bill sponsored by Sen. Walter Mondale of Minnesota)?

The answers to this and other questions about this issue should be of interest to persons who have seen articles or fliers with the child advocacy charges, and to supporters of the 1975 legislation. Either by design or ignorance, the assertions range from extremely misleading to untrue. Unsuspecting readers are being duped.

Of course there is no question about the children's rights provisions appearing in the Congressional Record. They were placed there by Sen. Carl Curtis (R-Neb.) in 1971 while he was opposing a child development act in floor debate. Curtis observed that supporters of children's rights in England had drafted a charter. He then read into the Record the "Charter of Children's Rights of the British Advisory Center of Education and the National Council for Civil Liberties."

Thus the statement in the newspaper article that the Children's Rights Charter is "becoming a part of the Child Development Act (of 1975)" is untrue. The excerpt from the Congressional Record was based on opposition to the 1971 child care bill. Its use in the newspaper article seems designed to mislead the reader.

The repeated references to the Congressional Record, seemingly as though it is an unquestioned authority and reflects official policy, prompt at least a fleeting look at the Record's function. As one national official has commented, the Record "has the ring of an official pronouncement to it." Some readers are aware, however, that in addition to giving an account of floor debate in both houses of Congress and other congressional matters, it is a repository for anything that lawmakers see fit to insert in it. But publication of material in the Congressional Record does not assure accuracy or fairness or objectivity. Indeed on occasion the insertions are highly subjective and biased. Certainly the general contents of the Record, in and of themselves, cannot be considered governmental policy.

This is not understood by some citizens. In another let-

ter sent to The Star (along with a clipping of the same article from the area newspaper), the signers say: "We assume the article is true because Congressional Record pages, numbers, etc., are listed." That is a misguided assumption.

The origin of the information in the newspaper article has not surfaced. Rather widely circulated fliers with the same material bear no identification. Much of the distribution has been in the Middle West, Sullivan reports. These misstatements have been published verbatim in some newspapers and broadcast—and even elaborated on—without an investigation on the source or accuracy of the matter.

If the 1975 legislation is not what the leaflets and the area newspaper article contend, what is it? A major purpose, explains Brademas, is to arrange day care services "so that working mothers and welfare mothers can be sure, while they are on the job or are looking for work, of adequate care for their children." A second objective is to help detect physical and mental handicaps in children at an early age. The over-all goal is to build up and strengthen the role of the family, sponsors point out. They note that participation is on a voluntary basis.

Nothing here should be interpreted as an endorsement of this legislation, however. It must be weighed on its merits in the legislative chambers. Part of this procedure necessarily brings into play public reaction. And to participate fully and effectively citizens need accurate, unbiased information. The newspaper article and the fliers spread false impressions and in the process make it difficult for representatives to vote for the family services act for fear of reprisal, however misguided. This is a prime example of incorrect and misleading statements being used to cloud an issue. It is hardly a unique technique but nonetheless does a gross disservice to our political and governmental process.

In this case, as in many, impetus by citizens has touched off a search for the truth. We at The Star are grateful that these citizens made the effort to sound the call. We are also pleased that we could play a role in clearing the air on a very important issue.

Report from the Capital

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Setting the Record Straight:

Child Services Act Does Not Threaten Family

By John W. Baker and Rosemary Brevard

Have you seen a circular warning you that the federal government is plotting to take away your children if you insist that they take out the garbage?

The bills which the circular asserts contain this alleged plot are H.R. 2966 and S. 626, the Child and Family Services Act of 1975. These bills, which are almost identical, are currently pending in House and Senate subcommittees, but the allegations contained in the circulars are false and misleading.

The Child and Family Services Act of 1975 is actually designed to help both children and parents—particularly those parents who are working or cannot, for a variety of reasons, adequately care for their children during working hours. It provides for full-time or part-time child care programs, before and after school as well as summer programs, education and consultation for parents, prenatal medical care for mothers who cannot afford it to help protect the unborn child, food and nutritional services for poor children, treatment of medical and psychological problems of children if their parents request such treatment, and help for children with handicaps or special learning disabilities.

The fact that Congress is even considering this Act has generated a wave of unusual protest—unusual in that most of it seems to be the result of unsigned circulars which have been widely distributed by churches and individuals. These circulars, often headed "Rearing Children by the Government or by Parents," contain a wel-

ter of inflammatory misinformation and untruth.

Several versions of the circular assert that the office of Senator Dewey Bartlett (R-Okla.) has issued the information in the circular. Another version links a member of Senator Bartlett's staff to a proposed letter writing campaign against the Act. Senator Bartlett's office denies that it has had anything to do with the circular or letter writing campaign. That office rejects the circular as a misleading document.

Senator Walter Mondale (D-Minn.), the chairman of the Senate subcommittee handling the Child and Family Services Act in a speech on the Senate floor (*Congressional Record*, November 19, 1975, pp. S20397—S20401), stated that the Act is "... being subjected to one of the most distorted and dishonest attacks I have witnessed in my 15 years of public service."

Mondale went on to speak of the allegations in the circulars and about the circulars themselves. "These allegations are absolutely and completely false. There is not a shred of truth in any one of them. If there were, neither I nor any Member of Congress would be sponsoring this legislation. . . . Yet mimeographed materials being circulated . . . allege that the so-called 'children's rights' quoted [on the Senate floor in 1971 from a British] document are 'becoming part of' the Child and Family Services Act. That allegation is totally false, and I believe that the individuals or organizations making the allegation

Report from the Capital

Child Services

(Continued from page 1)

know it is false. I say that because the materials containing these allegations are unsigned—a clear and significant sign that the organizations or individuals circulating these allegations know that they cannot defend or document them.”

Some falsehoods attributed to the Act are that parents who are not doing a good job will have their children taken away from them, that parents cannot teach their children about God, that a Charter of Children's Rights is being added to the Act, and that parents would lose the right to form their children's characters. To set the record straight and to refute the above untruths the following facts about the Act are given:

1. The Act, instead of taking child rearing away from parents, clearly states that "...child and family service programs must build upon and strengthen the role of the family and must be provided on a voluntary basis only to children whose parents or legal guardians request such services, with a view toward offering families the options they believe to be most appropriate for their particular needs."
2. There is no "Child Advocacy Clause" nor is there a "Charter of Children's Rights" anywhere in the bill and neither of them will be added. The "Charter of Children's Rights" was developed years ago by the unofficial British Advisory Center of Education but was never even seriously proposed in England. Senator Carl Curtis (R-Neb.) read a portion of this British group's proposal into the *Congressional Record* in a Senate debate on another child services bill on December 2, 1971. The text is found on p. 44138 of the *Record*. However, that material was not a part of the 1971 bill and is not a part of the present Act.
3. The Act specifically prohibits any practice which would "...infringe upon or usurp the moral and legal rights and responsibilities of parents or guardians with respect to the moral, mental, emotional, physical, or other development of their children."
4. The Act prohibits any medical or psychological examination or treat-

ment unless the parent or guardian provides written permission.

5. The privacy of families is protected by the provision that no "...section of this Act be construed or applied in such a manner as to permit any invasion of privacy otherwise protected by law, or to abridge any legal remedies for any such invasion which are otherwise provided by law."

The statements of fact given above should not be interpreted to mean that the Act is free of potential church-state problems. The Baptist Joint Committee on Public Affairs gave testimony on the Act before a joint House-Senate committee last spring. In that testimony it was pointed out that the inclusion of religious organizations as possible operators of some child care programs would raise the problem of using public funds for what might be religious education and indoctrination.

In summary, close examination of the current bills simply makes it obvious that the allegations in the circulars now flooding the country are a "parade of imaginary horrors." If one is to oppose this Act it should be done on the basis of informed judgment and not on the basis of a circular made up of patent untruths and wild distortions.


Nation 12-8-75

Leaflet clouds day care bill

By Arthur Siddon

Chicago Tribune Press Service

WASHINGTON—Thousands of parents, convinced that Congress is about to usurp their right to rear and educate their children, have flooded congressional offices with protests. Calls and letters to House and Senate offices allege that a child care bill now before Congress would take children from their parents and even force them to live in government-run communes.

"These allegations are, of course, not only outrageous falsehoods—they are downright silly," said Rep. John Brademas (D., Ind.), a sponsor of the bill.

The source of the controversy is a widely-distributed leaflet—unsigned—attacking the Child and Family Service Bill. The bill, now buried in House and Senate subcommittees, would establish day care centers and other services for children of working mothers.

THE CHARGES in the leaflet have been so widely accepted that newspapers and television stations in Indiana, Michigan, and Kansas used the leaflet as the basis for editorials attacking the bill.

A Texas state education official duplicated the leaflet and distributed it to school superintendents with a notation that the bill "has frightening implications to our American way of life."

Because the leaflet is unsigned, neither Brademas nor Sen. Walter Mondale (D., Minn.), the bill's Senate sponsor, know who's responsible for it.

A BRADEMAS AIDE said the leaflet has probably been duplicated by recipients and sent on to friends in a chain letter fashion. "We also know the leaflets have been sent to conservative churches and other groups, which have distributed it to their memberships."

The American Conservative Union, which opposes the bill, said it has an idea where the leaflet originated—but wouldn't say.

"We certainly don't approve of the leaflet," said an ACU spokesman. "We're very much opposed to that bill, but when you get this kind of attack it draws attention from the real problems in the bill."

To support allegations that the bill would "Sovietize" the education of children, the leaflet quotes extensively from the Congressional Record—mostly from a speech by Sen. Carl Curtis (R., Neb.) during debate on a similar bill in 1971. The bill passed Congress but was vetoed by President Nixon.

IN HIS REMARKS, Curtis quoted from a British "Charter of Children's Rights," which the anonymous leaflet implied was the heart of the bill.

Those rights, as quoted in the leaflet, include "protection from, and compensation for the consequences of any inadequacies in their homes and backgrounds

protection from any excessive claims made on them by their parents or authority . . . freedom from religious or political indoctrination.

"What is at issue is whether the parent shall continue to have the right to form the character of the children or whether the state, with all its power and magnitude, shall be given the decisive tools and technique for forming the young lives of the children of this country," the leaflet said.

Both Brademas and Mondale emphasized that nothing in the bill would alter the "existing legal relationship between parents and children" or provide for "compulsory service of any kind." Also, they said, the bill makes no mention of religious preferences or instruction.

[From the Union Advocate, December 8, 1975]

Conservative propaganda campaign hits children's aid program

WASHINGTON — (PAI) — Years of effort to enact federally-funded programs to meet long-neglected needs of children and to strengthen family life are in danger of being swamped by conservative propaganda.

More than a thousand letters have poured into congressional offices in a coordinated effort to block the proposed Child and Family Services Act of 1975.

The drive has developed much momentum in recent weeks that Senator Walter P. Mondale (D-Minn.), the chief Senate sponsor, was moved to denounce it as "a vicious and totally inaccurate propaganda campaign."

Mondale said his bill, co-sponsored by 28 other Senators, and a House version sponsored by Rep. John Brademas (D. Ind.) and nearly 100 other representatives are the target of "one of the most distorted and dishonest attacks" he has ever seen. Mondale made a point-by-point rebuttal of the more irresponsible charges in the Congressional Record November 19.

"Wild and completely false allegations are being made," Mondale said, "that this legislation would somehow give children the legal right to disobey their parents; somehow prohibit parents from providing religious training to their children; somehow give the government authority over child rearing; and somehow give child the right to complain about their

parents and teachers without fear of reprisal."

"These allegations are absolutely and completely false," Mondale declared. "There is not a shred of truth in any one of them."

Mondale said the allegations in the unsigned propaganda are derived from a "Charter of Children's Rights" — a document circulated in Great Britain and cited by Senator Carl T. Curtis (R-Neb.) during Senate debate in 1971. One item in the charter says that children have the right to resist "excessive claims" by parents — such as being ordered to take out the garbage.

To combat the distortions, Mondale restated the need for the Child and Family Services Act:

"Forty per cent of the young children in the United States have not been immunized fully against childhood diseases. The infant mortality rate in this country is shockingly and unnecessarily high — higher than that of 13 other nations.

"Almost two-thirds of pre-school children with handicaps are not receiving the special services they need. An estimated 200,000 children are struck each year by handicaps that could have been prevented if their mothers had received early health care.

"While there are almost six million pre-school children whose mothers are working, there are only one million spaces in licensed day-care homes and centers to serve them."

Mondale listed the key elements of the proposed program: totally voluntary access to health, education and child care services; prenatal care and early screening to detect and remedy handicaps in children; nutrition assistance; daycare for children of working mothers.

He stressed that the bill explicitly recognizes that "the family is the primary and most fundamental influence on children" and its programs "must build upon and strengthen the role of the family."

The Child and Family Services Act, in its concept and in many details, is strongly supported by organized labor, religious groups and associations of educators, social workers and pediatricians.

Basic trends underlie this broad support. In health care, it is recognized that early detection and treatment can prevent handicaps and that proper nutrition is essential to mental as well as physical growth. In education, research has shown that much of a child's knowledge is shaped in the pre-kindergarten years and he can be better prepared for school.

The changing role of women has pointed up the great need for quality daycare facilities. Women in the child-bearing and child-rearing age range of 25 to 34 entered the labor force in large numbers since 1950.

While this is partly due to

rising divorce and separation rates, many younger women in recent years have chosen to pursue career ambitions while also raising children.

In 1971, the child development program passed Congress as part of an extension of the Office of Economic Opportunity. President Nixon vetoed it and the Senate failed to override.

The compilation of Senate letters and news coverage over the four weeks contained as "a vicious and dishonest attack on legislation to Congress — in violation of its conscience by the fact — with enough names to override a possible veto."

This explains the scare campaign by conservative writers and some of the Congressmen for Children to its 100 members based in 1975. "No general flow of mail to Congress will give to an avoidance."

18-THE NEW PRAGUE TIMES-Thursday, Dec. 11, 1975

Unsigned circular is replete with falsehoods and misrepresentations

Customarily when an anonymous letter is received at The Times, it is consigned forthwith to the round file, with or without reading. That is standard practice in newspaper offices.

However, an unsigned mimeographed flyer came to our attention recently which is being widely circulated throughout the country and which calls for refutation and repudiation. The mimeographed circular bears no name, no address and no source of identification. That in itself is reprehensible, and lacking in courage of conviction. It is wholly a collection of misrepresentations and downright falsehoods.

The anonymous flyer castigates the proposed Child and Family Services Act of 1975 alleging, in brief, that this legislation would deprive parents of parental direction and control of their children and Sovietize the youngsters in some kind of communal system.

In a speech delivered before the United States Senate on November 19, Senator Walter F. Mondale of Minnesota, one of the sponsors of the bill in Congress, declared:

"Contrary to these unsigned allegations, the child and family legislation contains nothing that changes or affects the legal relationship between parents and their children. Instead, it simply offers to families--on a totally volunteer basis--access to health, education and child care services which they want for their children but often cannot afford. It offers prenatal health care and early medical screening and treatment to detect and rectify handicapping conditions, and day care for child-

ren of working mothers, and the bill specifically limits eligibility for these services to "children whose parents or guardians request such services"--S 626 section 2 1/2 section 106 (b).

"In addition, this legislation is deliberately and carefully designed to provide parental control of any services offered. Thus, the bill requires that all programs funded would be selected, established and controlled by the parents of the children participating in them".

In the Congressional Record of that day, Senator Mondale categorically listed and refuted each and every one of the allegations made in the anonymous circular, with citations from the wording of the Child and Family Services Act.

Anyone who has known and watched Fritz Mondale's career from his early activities in public affairs, through his service as Minnesota attorney general and now to a United States Senatorship knows full well that he could not be a party to any such program as the anonymous circular falsifies. The people of Minnesota have demonstrated their confidence and trust in Walter F. Mondale by overwhelming majorities at each election in which his name has appeared on the ballot.

It is truly regrettable that able, honest and conscientious public servants who co-sponsored the Child and Family Services Act in the Congress must be subjected to such unfair, anonymous misrepresentation,--but it appears that is the burden which we place upon them.

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79	Local News	88	Local News	97	Local News
80	Local News	89	Local News	98	Local News
81	Local News	90	Local News	99	Local News
82	Local News	91	Local News	100	Local News

ST. LOUIS POST-DISPATCH

Smear Drive Against Children's Bill

By JAMES DEAKIN
Washington Correspondent

WASHINGTON, Dec. 27—Of the many lobbying and propaganda drives on Capitol Hill this year, one of the most unusual has an unusual goal: to destroy the American family and make children the wards of the Federal Government.

Hundreds of copies of the unsigned statement poured into congressional offices urging the defeat of the proposed Child Development Act of 1971, sponsored by Senator Walter F. Mondale (Dem.), Minnesota, and Representative John Brademas (Dem.), Indiana.

The statement alleged that the legislation would allow federal bureaucrats to enter homes and tell parents how to rear and educate their children, would permit children to defy parental authority and would enable them to sue their mothers and fathers for damage caused by "inadequacies" in their home environment.

Mondale and Brademas said that the

contentions were distorted and dishonest. The allegations were denied also by 18 Catholic, Protestant and Jewish organizations supporting the bill, including the Lutheran Family and Children's Service of Missouri, which has its headquarters in St. Louis.

The denial did not stop the barrage of mail and telephone calls to members of Congress. Many persons who received one of the thousands of letters mailed in other cities, sent it to their Senators or Representatives with personal letters expressing shock and indignation about what they thought the bill would do.

There were several versions of the statement, but all of them made the same charges against the Child Development bill. Purportedly quoting from the Congressional Record, the statements said that the bill, in effect, would transfer authority over the nation's children from their parents to the Federal Government.

One version of the statement described the bill in the following terms, purportedly taken from the Congressional

Record: "If, in the judgment of those who are in charge of such a program (the state, by way of the Secretary of Health, Education and Welfare), parents are not doing a good job, the advocate would enter the home and direct the education, even within the home. And if the parent would object, the authority of the home would, de facto, be transferred to these advocated (sic)."

Mondale said in a Senate speech last month that the advocates would be drawn from the ranks of the Congressional Record had not found any such description of the bill. Congressional staff members believe the description is a misinterpretation of an earlier bill, the proposed Child Development act of 1971.

The initial version of the 1971 bill would have set up a child advocacy program in which federal advocates would have assisted low-income families in dealing with problems. The bill would have helped low-income families cope with problems that arise in obtaining health treatment and

other services for their children. However, the child advocacy program was deleted by a Senate-House conference committee before the bill was passed. President Richard Nixon signed the bill Nov. 10, 1971. In the accompanying statements as saying that the measure would have weakened the American family by encouraging "communal approaches to child-rearing."

There is no provision for a child advocacy program in the Mondale-Brademas bill. The bill would have authorized federal activities that would "infringe upon or usurp the moral and legal rights and responsibilities of parents or guardians with respect to the moral, mental, emotional, physical or other development of their children."

The anonymous statement asserted that "a child's development is determined by 'The National Council of Civil Liberties,' was incorporated into the Child Development Act of 1971.

However, there was no "charter of children's rights" in the 1971 bill, and there is no such charter in the Mondale-

See CHILDREN, Page 6



Senator Walter F. Mondale



Representative John Brademas

Children

■ FROM PAGE ONE

Brademas bill. The charter originated in Britain, purportedly as a proposal by a Socialist group, but it is not part of British law. The National Council of Civil Liberties is a British group. Mondale knows of no such organization in the United States.

Purportedly quoting from Page 44138 of the Congressional Record, the anonymous statement says that the charter would give children the right to be protected from and compensated for "any inadequacies in their home and background," and the right to be protected from "any excessive claims made on them by their parents or authority."

"The question was asked by way of example, 'What do you mean by the fact excessive claim? (sic)'" The statement says. "The example was given, 'If the mother or father asked the child to take the garbage out and the child doesn't want to, the parents have no right to insist upon it.'"

The anonymous statement notes that the charter would give children "the right to freedom from religious or political indoctrination." This means, the statement says, that "parents could not insist on children attending church or Sunday School or synagogue."

"It also means," the statement says, that "the parent could be reported to authorities for expressing himself in his own home before his children regarding politics and religion..."

Another provision of the charter, the statement said, would give children the right "to make complaints about teachers, parents and others without fear of reprisals."

The Congressional Record is cited as the source for this further statement about the bill: "As a matter of the child's right, the Government shall exert control over the family, because we have recognized that the child is not the care of the parents but the care of the state."

This statement was taken from an article on child-rearing and education in Russia.

Mondale said there were quotations from the British proposal put into the Congressional Record in 1971 by Senator Carl T. Curtis (Rep.), Nebraska, in a Senate debate on an antipoverty bill that included child-care provisions. In Britain, Curtis said, "child development advocates have gone so far as to draft a charter of children's rights."

Congressional staff members working on the Mondale-Brademas bill said

much of the mail opposing the bill was postmarked from Texas and Oklahoma.

Richard Fly, a reporter for the Houston Chronicle, traced one version of the anonymous letter through a chain of persons in Texas and then to Richard Burson, retired director of the Kansas Bible Camp near Hutchinson, Kan. Burson told the reporter that he reprinted about 1000 copies of the letter and was "surprised how far they've scattered." He said he got the letter from his brother-in-law's sister, who received it at a revival meeting in Missouri.

Burson told the reporter that he stopped distributing the letter when he found that the information in it was misleading.

"I think that many people who read this... seem to think that the Congressional Record account... is the bill," Burson was quoted as saying. "But it isn't the bill. It is simply a discussion of the bill by people who were opposed to it."

A Post-Dispatch reporter who called the Kansas Bible Camp to talk to Burson was told that Burson was in the intensive care unit of a Hutchinson hospital and unable to receive telephone calls.

The Mondale-Brademas bill would authorize \$150,000,000 in federal funds in the current fiscal year for several child-care and family assistance programs, including day care for children of working mothers, prenatal care, food and nutritional assistance and special aid for handicapped children.

The amount of money authorized by the bill would increase in stages to 1 billion dollars in fiscal 1978. The bill, still in subcommittee, is given no chance of approval in view of President Gerald R. Ford's opposition to large new spending programs. Congressional staff members said efforts were under way to write a less costly version that might gain enough support to override a presidential veto.

Under the bill, priority in receiving federal assistance would be given to economically disadvantaged families with children under 6 years of age. Participation would be voluntary, and children could not receive assistance without a specific request from a parent or guardian.

The assistance programs would be operated by state or local agencies or by combinations of public and private

groups. Although federally financed, the programs would be administered by local councils, half of whose members would have to be persons selected by parents of disadvantaged children receiving aid.

"This legislation is deliberately and carefully designed to provide parent control of any services offered," Mondale said. "Thus the bill requires that all programs funded would be selected, established and controlled by the parents of the children participating in them."

"Contrary to these unsigned allegations, the child and family services legislation contains nothing that changes or affects the legal relationship between parents and their children. Instead, it simply offers to families — on a totally voluntary basis — access to health, education and child-care services which they want for their children but often cannot afford."

In a statement deploring the attacks on the bill, 16 religious organizations said that "a careful reading of the bill reveals that it will support families, not weaken them. There is nothing in this legislation that relates to religious pref-

erences or religious instruction."

Among the organizations supporting the bill, in addition to the Missouri Lutheran Group, were the National Council of Churches, the National Conference of Catholic Charities, the American Jewish Committee — and two divisions of the United Methodist Church.

Mrs. Onalee McGraw, co-ordinator of the National Coalition for Children, which is opposed to the Mondale-Brademas bill, told the Post-Dispatch that she was worried that the anonymous criticism on the bill would hurt those groups that are trying publicly to defeat the measure.

"I can't imagine who is behind this (the unsigned attacks)," Mrs. McGraw said. "Our approach has been to put our name and telephone number on everything we do, because we want people to come and debate with us."

Mrs. McGraw, whose group is allied with the American Conservative Union, said she considered the parental rights provisions of the Mondale-Brademas bill "just cosmetic language, based on the past performance" of the sponsors of the bill.

The bill was assailed by the conservation publication *Human Events* last Sept. 6. The publication termed it "radical legislation" under which the Federal Government "would assume the preponderance of the responsibilities for the care of children that traditionally have defined the role of parent in this society. As always, with this new federal responsibility would come new federal control."

The article, however, did not use any material from the anonymous criticism.

Human Events said the Mondale-Brademas bill "would put children, beginning at infancy, into the hands of experimental psychologists and social engineers who are determined to eradicate the differences in the role of the sexes, which, despite the mass media's infatuation with women's liberation, are still held sacred by the overwhelming majority of parents in this country."

"It is not at all difficult, for instance, to imagine little boys being encouraged to play dolls while little girls are pressured into playing soldier or truck driver, once the HEW-trained-and-certified 'experts' gained control of the nursery."

The Mondale-Brademas bill, cosponsored by 28 Senators and about 100 Representatives contains specific prohibitions against governmental invasions of the privacy of the home and the authority of parents. It prohibits also any interference with the courts in their function of protecting the right of privacy.

In a decision last week, the United States District Court for the Southern District of Iowa ruled that Iowa's "parental termination statute" was unconstitutional. Acting under this statute, a probation officer had entered the home of an Iowa couple and had decided that their six children should be removed from parental control.

The court held that Mr. and Mrs. Charles L. Alsager were deprived of the constitutional right of due process, and that the Iowa law was unconstitutionally vague because it did not give fair warning to parents on what constituted impermissible conduct and because it permitted arbitrary and discriminatory terminations of parental rights.

Discussing the Iowa decision, the American Civil Liberties Union said that "almost every jurisdiction in the United States contains some of the language in its statutes which the court found to be unconstitutionally vague."

MNA Clipping Bureau

ST. CLOUD VISITOR

WK. OF DEC 29 1975

A MONDALE BILL — A bill sponsored by Minnesota's Senator Walter Mondale is getting support from Msgr. George Higgins, a member of the Social Action Department of the United States Catholic Conference, Washington DC.

The Child and Family Services Act of 1975, authored by Mondale, "goes out of its way to protect the legitimate interests of the family and voluntary social agencies, including church-related agencies," Msgr. Higgins writes.

Msgr. Higgins labels as "completely false" the charges that Mondale's bill would undermine family structures and bypass voluntary agencies.

An interreligious committee which includes a number of Catholic organizations has given full support to the Child and Family Services Act, says Msgr. Higgins.

"There is nothing in this legislation

that relates to religious preferences or religious instruction, nothing that relates or alters the existing legal relationship between parents and their children, and nothing that provides for compulsory preschool education or for compulsory service of any kind," the statement reads.

"Any and all of these programs are totally voluntary, and limited to children whose parents request the services. Parent control is further assured by requirements that all programs would be selected, established and controlled by parents whose children participate in them."

CHILD CARE BILL COMES UNDER ATTACK

The Child and Family Services Bill (S626 and HR2966), which would fund day-care centers and provide a variety of nutritional, health, educational and social services to disadvantaged children, has recently come under widespread attack. In what seems to be a highly organized campaign to discredit this legislation, an anonymously circulated, two-page, mimeographed flyer charges that the bill would give the government rather than parents the right to control their children's development. As House Majority Leader Thomas P. O'Neill, Democrat of Massachusetts, stated in a recent speech in Congress: "Whether we support or oppose this legislation, I urge every member of the House to be on the alert for the fear-mongers who spread such poison throughout the land."

In reality, the bill, sponsored by Senator Walter Mondale, Democrat of Minnesota, and Congressman John Brademas, Democrat of Indiana, stresses voluntary participation in the child care program. Parents would form at least half of the membership of any group setting policies for funded programs. The bill also bans any infringement of the "moral and legal rights and responsibilities of

parents with respect to the moral, mental, emotional, physical or other development of their children."

Most Lutherans working in the social welfare field support the provisions of the bill. In testifying last March before a joint Congressional committee William C. Tremiere of Tressler-Lutheran Services Associates, Inc., Harrisburg, Pennsylvania, concluded: "There is an urgent need for appropriate, sensitive legislative intervention that will guarantee the basic rights of children and the supports necessary to develop and maintain healthy family life for all children in our nation. We believe the Child and Family Services Act of 1975 has the potential of meeting this need."

The Washington office of the National Council of Churches has issued an excellent statement clarifying the issues involved. The Lutheran Council has distributed this analysis, with other materials, to interested parties.

Unless Congress perceives constituent support for S626 and HR2966, this attack, though unfair and misleading, may have caused so much damage that the bill will remain stalled in Congress for the immediate future.



D.C. DATELINE

JAMES R. KIRKPATRICK, EDITOR • JANUARY 1976

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School Administrators

Mondale Defends Child-Family Services Act From Attack

In answer to unsigned allegations about the Child and Family Services Act (HR 2966) circulating in many parts of the country, Senator Walter F. Mondale, sponsor of the Senate version of the bill (S 626), characterized the propaganda campaign as "vicious and totally inaccurate" and "one of the most distorted and dishonest attacks I have witnessed in my fifteen years of public service."

An anonymously circulated mimeograph document contains quotes from the *Congressional Record* and alleges that these represent provisions in the Act. The flyer quotes: "Children have the right to protection from any excessive claims made on them by their parents or authority," and offers an explanation of 'excessive claim' by another quote: "If the mother (or) the father asked the child to take the garbage out and the child doesn't want to, the parents have no right to insist upon it."

Mondale points out that these quotations bear no relevance to the present bill, stating "in fact, research reveals that these allegations are based on a document that was not even prepared in this country, and has no relevance to it. They are derived from a 'Charter of Children's Rights' of the British Advisory Center of Education and the National Council of Civil Liberties which Senator Curtis cited during Senate debate in 1971."

The bill itself would authorize funding of \$1.8 billion over a three-year period to provide counseling, health care, day care and other services to children and families. Prime sponsors for services could be states, local government or non-profit agencies.

Mondale states that "contrary to these unsigned

allegations, the Child and Family Services legislation contains nothing that changes or affects the legal relationships between parents and their children. Instead, it simply offers to families—on a totally voluntary basis—access to health, education and child care services which they want for their children but often cannot afford. And the bill specifically limits eligibility for these services to 'children whose parents or guardians request such services.' (S 626, Section 2(a)(2); Section 106 (b)(1)."

The bill has been specifically endorsed as family strengthening by a wide range of civic and religious organizations including the Catholic Church, the Baptist Church, the United Methodist Church and the Lutheran Church.

Both Sides Attack Smear Campaign on Child Care Bill

By SUSAN FOGG

(C, 1975, T-P National Service)

WASHINGTON — The proposed Family and Child Services Act of 1975 has become the object of what both opponents and supporters of the bill have denounced as a smear campaign.

Anonymous flyers attack the legislation as an effort to "Sovietize" American children.

Republicans and Democrats in Congress have joined to counter the effects of the broadsides, which have been circulated to public school administrators in Texas and have served as the foundation for radio and newspaper editorials against the bill.

Rep. Thomas P. O'Neill (D-Mass.), Democratic leader in the House, in a speech on the House floor, protested what he called "the tactics of smear and deception, the tactics of Watergate" used in the campaign against the bill.

Martin LaVor, Republican counsel for the House subcommittee on select education that has jurisdiction over the bill, said in a memorandum to all Republican members that the campaign against the legislation represented "the ultimate in the big lie."

As a result of the anonymous pamphlets that apparently make up the core of the campaign, a blizzard of letters protesting the bill has struck members of Congress.

LaVor said some members have re-

ceived as many as 300 or 400 letters per week, and a spokesman for Sen. Walter F. Mondale (D-Minn.), a sponsor of the bill, said that as late as mid-December letters were arriving at a rate of 20 or 25 a day.

Spokesmen for Mondale and the prime House sponsor of the bill, Rep. John Brademas (D-Ind.), said that although they had received the full cooperation of conservative opponents of the bill in refuting the campaign, it may well have soured any chance the bill had for passage in the near future.

The bill, similar to one introduced by Mondale and Brademas in 1971 that passed Congress but was vetoed by President Nixon, calls for a \$1.85-billion,

three-year program to expand day care facilities and provide a wide variety of medical, nutritional and counseling programs for children and their families.

The anonymous handbills and letters attacking the bill described the program as ushering in "the Soviet-style system of communal child rearing."

The flyers claim the bill "would take the responsibility of the parents to raise their children and give it to the government." They charge provisions of the bill would allow children to bring civil lawsuits against their parents if their parents required them to attend church or take out the garbage.

"We are in serious danger of Sovietizing the education of our children if we let the Child and Family Services Act of 1975 pass," said a flyer submitted to the Congressional Record by O'Neill.

O'Neill and spokesmen for Mondale and Brademas said participation in any of the programs under the legislation would be voluntary — both for children and their families.

The bill is intended to provide day care services at reasonable cost to middle- and low-income working mothers, and for mothers currently on welfare, to allow them to take jobs, and thereby get off the dole.

The bill includes provisions for testing of young children to determine if they have hearing, vision or behavioral problems that could be corrected before the children enter school.

It calls for programs of child abuse prevention, for nutritional and pre-natal health care programs for pregnant women, and for nutritional programs for infants.

Much of the controversy over the bill has focused on its cost, and whether the day care programs should be sponsored by public schools or by public, community-based organizations.

The bill has been endorsed by the National Council of Churches, the American Academy of Pediatrics, the League of Women Voters and a wide range of other civic, religious and labor organizations.

Opinions

Page 4A - Independent, Wednesday, January 14, 1976

Editorial

Marshall, Minnesota

Flyer on Child Act full of falsehoods

It's no fun to get hoodwinked, but that's what happened to a group of local women recently when they attended a meeting of their organization.

A member brought a mimeographed flyer to the newspaper office after the meeting and asked that it be reprinted or that "something be done to alert people" to the insidious nature of a bill sponsored by Sen. Walter Mondale.

The flyer was a real honey. Few red-blooded Americans would fail to be angered by its contents. Many might even be moved to take pen in hand and write a heated letter to Mondale.

We hope that doesn't happen, however, because the flyer rates little better than a piece of garbage. It is inflammatory and spurious and even those who oppose Mondale's bill are at a loss to explain its purpose.

The flyer attacks a bill known as "The Child and Family Services Act of 1975," and it asks the question: Shall the government step in and run our homes?

The flyer purports to quote as fact material from the Congressional Record which is opinion and is in no way connected with the Mondale bill.

One section of the flyer quotes "The Charter of Child's Rights," some of which follows:

"1. All children have the right of protection from and compensation for the consequences of any inadequacies in their home and backgrounds."

"2. Children have the right to protection from any excessive claims made on them by their parents." (The flyer notes that children could refuse to carry out the garbage, for example.)

"3. Children have the right to freedom from religious or political indoctrination." (Parents could not force children to attend church or Sunday school.)

"4. Children have the freedom to make complaints about teachers, parents, and others without fear of reprisals."

The flyer fails to state that "The Charter of Children's Rights" was developed in

Britain, has nothing to do with the provisions of Mondale's bill, and was reprinted in the Congressional Record in connection with debate on a bill in 1971.

According to Congressional Quarterly, House Majority Leader Thomas P. O'Neill Jr., in a floor speech last month, deplored the "extremist propaganda" against the bill. "Whether we support or oppose this legislation," he said, "I urge that every member of the House be on alert for the fearmongers who spread such poison throughout the land."

What is this horrible bill? It's child care legislation which would not only increase federal support for day care centers but would place additional emphasis on "the voluntary and parent-dominated nature of any federally supported programs." In other words, parents could either use or not use available child care services and if they did, they would have a major voice in how these services were operated.

If that isn't enough, the bill would also ban any interference with "the moral and legal rights and responsibilities of parents." It's hardly a plot to subvert parental control over children or to turn children into "Hitler youth."

Unfortunately, thousands of people have been deceived by the flyer, which oddly enough has been anonymously circulated and does not bear the name of any individual or organization. The fact that many newspapers and broadcast stations have used the flyer as the basis for editorials against the bill is even more disturbing because they should have had the intelligence and professionalism to first check its validity.

In the end, the flyer should have been an interesting educational experience for the local women, that is if we've been able to convince them of its true nature. If not, they can take heart in the fact that the bill does not appear to have much chance of passing and even if it does it may face a presidential veto because it carries a three-year price tag of \$1 billion, a sum likely to catch the eye of President Ford.

[From the Minneapolis Tribune, Feb. 2, 1976]
 FALSEHOOD, FEAR IN ATTACKS ON CHILD-CARE
 BILL

Attacks on Senator Walter Mondale's child-care bill are being circulated more widely than ever, cropping up with increasing frequency in Minnesota. They're generating more letters to members of Congress and to newspapers; Mondale's office, in fact, has received a record volume of mail on the bill.

But as the attacks mount, they also sink—to new lows of irresponsibility and falsehood. They are, Mondale complains, "based on distortion, falsehood and fear." And they're anonymous, making it impossible for the bill's supporters to confront and refute their opponents.

The object of the attacks is a bill called the Child and Family Services Act of 1975, sponsored by Mondale in the Senate and by Representative John Brademas (Dem., Ind.) in the House. Its intent is "to provide a variety of quality child and family services in order to assist parents who request such services. . . ." It would provide funds for local communities and parent organizations to set up such services as prenatal care, medical treatment to detect and remedy handicaps, nutrition assistance and day-care programs for children of working mothers.

ORIGIN OF ATTACKS

The attacks seem to have originated in Texas and Oklahoma and moved northward and eastward. A Houston Chronicle reporter, trying to trace their origin, was unsuccessful. All he could find was a retired director of a Kansas Bible camp who said he reprinted and circulated about 1,000 copies of one version—but quit when he found that the information in it was misleading.

The versions now appearing in Minnesota are nearly identical—and equally anonymous. A letter from a LeRoy, Minn., man to the Austin Herald is typical. Using the language of the unsigned fliers, it contends that the bill would "take the responsibility of the parents to raise their children and give it to the government," going on to cite four examples of how it would do so.

A similar argument was made in a letter from a Marietta, Minn., woman that became the basis for an editorial in a Madison, Minn., weekly shopper. That version, however, actually attributes to Mondale one of the false statements of what the bill would do.

In fact, the bill would carefully protect the rights of parents. Participation in any program would be completely voluntary; children could not be included without the specific request of their parents or guardians. The bill would prohibit anything that would "infringe upon or usurp the moral and legal rights and responsibilities of parents or guardians."

CURTIS SPEECH

What, then, of the four examples of usurpation of parents' rights cited by the LeRoy letter-writer? And what of the anonymous fliers' contention that what they contain is true because it appeared in the Congressional Record? The examples, it appears, are taken from something called the Charter of Children's Rights of the National Council of Civil Liberties. But no such charter is included in the bill. It first surfaced in 1971, during Senate debate on another bill that contained child-care provisions.

Senator Carl Curtis of Nebraska, who opposed that bill, said that in England "child-development advocates have gone so far as to draft a charter of children's rights," which he then read—and which has been picked up by opponents of the Mondale bill. But the so-called charter, if it ever existed, had nothing to do with the 1971 bill, much less the current Mondale proposal. Still, irrelevant though it was, the Curtis speech was indeed reported in the Congressional Record, giving the authors of the anonymous fliers a false claim to authenticity.

The allegations contained in the anonymous attacks "are false and misleading" and contain a wealth of inflammatory information and untruth," according to the Baptist Standard. Archbishop John Roach of the Archdiocese of St. Paul and Minneapolis, writing for the board of directors of the Minnesota Catholic Conference, said that the attacks "are dishonest, and we, as bishops of Minnesota, deplore them."

Charges about the child-care bill are being given wide currency. We hope that Minnesotans will look beyond the anonymous attacks, however, and will base their judgments of the bill on what it actually contains. On that basis, the bill stands up well—and it deserves support.

* * * * *

EDITORIALS

Judge Child, Family Services act on facts, not fantasy

It is disturbing to learn that unsigned material is being distributed throughout the area to attack the Child and Family Service Act of 1975.

There is nothing wrong with opposing proposed legislation. But the flyers which level wild charges against this bill are carefully anonymous and make it impossible for anyone to reason with the opposition, or to learn on what grounds objections are really based. Unfortunately, some who see the anonymous blasts will automatically believe them. It is wise to learn as much as possible about a controversial issue before leaping to conclusions.

It is entirely possible that changes should be made in the Child and Family Service act. Its sponsor in the Senate, Sen. Walter F. Mondale of Minnesota, says flatly that "none of the provisions in it is etched in stone . . . reasonable people can and do disagree about many aspects of the program . . . but issues must be decided on the basis of facts, not fantasies. And decisions about them and the proposal in general must be decided on the merits."

What is this bill which is creating such a stir?

Basically, the act in 1971 was designed to "provide every child (through age 14) with a fair and full opportunity to reach his full potential by establishing and expanding comprehensive child development programs." It was vetoed by President Nixon. On Feb. 7, 1975, Sen. Mondale introduced

a similar bill which would establish programs of part-day and full-day child care, prenatal care, special services for minority group children, food and nutrition programs, aid for handicapped children and various types of assistance to families with special needs.

An inter-religious statement in support of the bill has been released by the Washington offices of the Church of the Brethren and the United Presbyterian church, Disciples of Christ, National Conference of Catholic Charities, Friends Committee on National Legislation, National Council of Churches, United Methodist church (women's division), Synagogue Council of America, National Council of Jewish Women and the American Jewish committee. It is also supported by the Parent-Teachers association, the AFL-CIO, the United Church of Christ, the Baptist and Lutheran churches, National Association of Retarded Children, the National Education association and the American Home Economics association.

It would be difficult to call any of those organizations subversive or eager to destroy the strength of the family and home.

What the opposition alleges is that the legislation would somehow give children the legal right to disobey their parents; somehow prohibit parents from providing religious instruction and training to their children; and somehow give the children the right to complain about their parents and teachers "without fear of reprisal."

Let Sen. Mondale answer:

"These allegations are absolutely and completely false. There is not a shred of truth in any one of them. If there were, neither I nor any other member of the Congress would be sponsoring this legislation . . . contrary to these unsigned allegations, the legislation contains nothing that changes or affects the legal relationships between parents and their children. Instead, it simply offers to families — on a totally voluntary basis — access to health, education and child care services which they want for their children but often cannot afford. It offers prenatal health and early screening and treatment to detect and remedy handicapping conditions, and day care services for children of working mothers. And the bill specifically limits eligibility for these services to 'children whose parents or guardians request such services.'"

Backers of the act point out that 40% of the young children in the United States have not been immunized fully against childhood diseases. Our infant mortality rate is higher than that of 13 other nations. Almost two-thirds

of the pre-school children with handicaps are not receiving the special services they need. An estimated 200,000 children are struck each year by handicaps that might have been prevented if their mothers had received early health care. Although there are almost 6 million pre-school children whose mothers are working, there are only 1 million spaces to serve them in licensed day care homes and centers.

Let's find fault with the act if there are things wrong with it. Legislation of this importance deserves careful study and understanding. But it should be opposed openly, if it is to be opposed, and with facts, not distortions.

**GRAND
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Friday, January 23, 1976

Child-care opposition mounts--and sinks

Attacks on Sen. Walter Mondale's child-care bill are being circulated more widely than ever, cropping up with increasing frequency in Minnesota. And they're generating more letters to members of Congress and to newspapers; Mondale's office, in fact, has received a record volume of mail on the bill. But as the attacks mount, they also sink — to new lows of irresponsibility and falsehood. They are, Mondale complains, "based on distortion, falsehood and fear." And they're anonymous, making it impossible for the bill's supporters to confront and refute their opponents.

The object of the attacks is a bill called the Child and Family Services Act of 1975, sponsored by Mondale in the Senate and by Rep. John Brademas, D-Ind., in the House. Its intent is "to provide a variety of quality child and family services in order to assist parents who request such services. . . ." It would provide funds for local communities and parent organizations to set up such services as prenatal care, medical treatment to detect and remedy handicaps, nutrition assistance and day-care programs for children of working mothers.

The attacks seem to have originated in Texas and Oklahoma and moved northward and eastward. A Houston Chronicle reporter, trying to trace their origin, was unsuccessful. All he could find was a retired director of a Kansas Bible camp who said he reprinted and circulated about 1,000 copies of one version — but quit when he found that the information in it was misleading. The versions now appearing in Minnesota are nearly identical — and equally anonymous. A letter from a LeRoy, Minn., man to the Austin Herald is typical: Using the language of the unsigned fliers, it contends that the bill would "take the responsibility of the parents to raise their children and give it to the government," going on to cite four examples of how it would do so. A similar argument was made in a letter from a Marietta, Minn., woman that became the basis for an editorial in a Madison, Minn., weekly shopper. That version, however, actually attributes to Mondale one of the false statements of what the bill would do.

In fact, the bill would carefully protect the rights of parents. Participation in any program would be completely voluntary; children could not be included without the specific request of their par-

ents or guardians. And the bill would prohibit anything that would "infringe upon or usurp the moral and legal rights and responsibilities of parents or guardians.

What, then, of the four examples of usurpation of parents' rights cited by the LeRoy letter-writer? And what of the anonymous fliers' contention that what they contain is true because it appeared in the Congressional Record? The examples, it appears, are taken from something called the Charter of Children's Rights of the National Council of Civil Liberties. But no such charter is included in the bill. It first surfaced in 1971, during Senate debate on another bill that contained child-care provisions. Sen. Carl Curtis of Nebraska, who opposed that bill, said that in England "child-development advocates have gone so far as to draft a charter of children's rights," which he then read — and which has been picked up by opponents of the Mondale bill. But the so-called charter, if it ever existed, had nothing to do with the 1971 bill, much less the current Mondale proposal. Still, irrelevant though it was, the Curtis speech was indeed reported in the Congressional Record, giving the authors of the anonymous fliers a false claim to authenticity.

The allegations contained in the anonymous attacks "are false and misleading" and "contain a wealth of inflammatory information and untruth," according to the Baptist Standard. Archbishop John Roach of the Archdiocese of St. Paul and Minneapolis, writing for the board of directors of the Minnesota Catholic Conference, said that the attacks "are dishonest, and we, as bishops of Minnesota, deplore them." The bill, the archbishop said, "would fill an urgent need and, at least as we read it, is very careful in providing proper protection for the rights of parents." A writer for the Texas Catholic Conference, citing a statement issued by 14 national church groups, declared that the bill "would establish a series of programs for children with special needs, but does not weaken the traditional role of the family." And the writer called charges to the contrary "ridiculous."

Ridiculous or not, those charges are being given wide currency. We hope that Minnesotans will look beyond the anonymous attacks, however, and will base their judgment of the bill on what it actually contains. On that basis, the bill stands up well — and it deserves support.

MNA Clipping Bureau

BEMIDJI
DAILY PIONEER

JAN 26 1976

Some reason

In the past few days we have received considerable literature, some of it completely unsigned and unattributed, concerning a measure currently before Congress called the Child and Family Services Act. This is apparently a small part of a widespread campaign underway against the bill, whose author in the Senate happens to be Sen. Walter Mondale.

The bill has come under attack by groups and individuals charging that it would give government undue authority over family life. Charges have been made that the proposed legislation would make the "government responsible for . . . the religious interests of your child," give "children the right to protection from excessive claims made on them by their parents," and make preschool education "compulsory" for all children beginning at age three.

Mondale and other supporters reply that these charges are totally false and inaccurate. The Minnesota senator said in a news conference Saturday that the charges "are so outrageous that if any part were true I would be the first to oppose the bill."

Supporters add there is nothing in the legislation that relates to religious preferences or religious instruction; nothing that relates to or alters the existing legal

relationship between parents and their children; -and nothing that provides for compulsory preschool education, or for compulsory service of any kind.

Mondale's office claims the bill is designed instead to strengthen and support families in their efforts to provide their children - on a totally voluntary basis - with the basic health, education and other services they want for them but too often cannot afford. They stress that any and all of these programs are totally voluntary and limited to children whose parents request the service. Parent control is further assured by requirements that all programs would be selected, established and controlled by parents whose children participate in them.

Our point here is not whether this measure is a good bill or a bad one. Regardless of what your final opinion is of this measure, it should be based on rational consideration of both sides of the argument. Someone, for some reason, is circulating a one-sided propaganda campaign against this bill. Before forming a final opinion, we would suggest interested people invest 13 cents on a letter, asking for the information package on S-626 (The Child and Family Services Act), to Senator Walter Mondale, 443 Old Senate Office Building, Washington D.C. 20515.

MNA Clipping Bureau

**GRANITE FALLS
TRIBUNE**

WK. OF JAN 26 1976

Newspaper Responsibility

One of our neighboring newspaper editors got into trouble a week or so ago when he made the mistake of reprinting information from a mimeographed hand-out accusing Senator Walter Mondale of introducing a bill which would take away parental rights in the disciplining and governing their children. The mimeographed sheet was filled with distortions concerning what the Minnesota senator's bill actually contained. The legislation was introduced by Senator Mondale to strengthen the traditional family rather than weaken it.

Every editor in the state is deluged by news releases and hand-outs every week. Going through them is a time-consuming job but it is necessary to separate what is fit to print from that which is not. The information sheet concerning Mondale's bill was unsigned and there was no identification of the person or organization responsible for the falsehoods.

It is the responsibility of the editor to do the reading, research and investigative work to be sure that his publication is not being used to publicize falsehoods, anonymous, or otherwise.

The Minnesota Newspaper Association this week is conducting an investigation in an effort to find out who printed and circulated the false information. We hope we can track it down. Every item which is published is the responsibility of the newspaper as well as the author.

Brainerd Daily Dispatch (Minn.), Tuesday, January 27, 1976

Mondale Bill

One of the most vicious smear campaigns we have ever witnessed is underway in this area concerning the Child and Family Services Act which has been authored by Sen. Walter Mondale.

Let us say at the outset, that there are some things in the proposed bill we would want to discuss before giving it total support, but they are a long way from the ridiculous charges which are being circulated here.

A number of copies of a sheet containing some of these ridiculous statements have crossed the editorial desk in the past week or so. We were also appalled to learn that some churches in this area actually included the sheet in their Sunday bulletins.

How anyone who had done even a modicum of research into the charges listed could pass on this literature, is beyond us.

The Child and Family Services Act of 1975 is designed to provide a broad array of medical and nutritional services to disadvantaged people. The program, contrary to the charges, is open to persons who ask to be included.

It would make federal funds available to "local communities and parent organizations to choose among a wide variety of child and family services, including prenatal health care, medical treatment to detect and remedy handicaps, nutrition assistance and day care services for children of working mothers. The bill does not provide for compulsory pre-school education."

Senator Mondale has pointed out that the reason he sponsored the bill is that each year some 200,000 children are struck by handicaps which could have been prevented if their mothers had received early health care; 40 per cent of the young children of this country are not fully immunized against childhood diseases; 65 per cent of all handicapped pre-school children are not receiving special services and there are "only one million spaces in licensed day care centers to service the six million pre-school children whose mothers are working."

Participation in this program as specifically stated in the bill is totally voluntary and limited to children whose parents request services. All programs would be selected, established and controlled by parents whose children participate.

The listed purpose of the bill is to "provide a variety of quality child and family services in order to assist parents who request such services, with priority to those pre-school children and their families with the greatest economic or social needs, in a manner designed to strengthen family life and to insure decision-making at the community level and provide decision-making with direct parent participation through a partnership of parents, state, local and federal government."

We are sure there is room for debate on this bill, but the arguments and information circulated in this area as valid opposition points are asinine.

The information on the flyer circulated by individuals and some churches in this area, lists a number of items allegedly taken from the Congressional Record and purported to be a part of the bill. They have not been found in the Record and are not included in the bill itself, a copy of which we have read.

The prime points listed as bad provisions in the bill simply aren't in it, though the smear sheet quotes them as being there.

The only place that some of those points were made in the Senate was during a debate on the bill when Senator Car Curtis of Nebraska, an opponent to the measure, got up and quoted some provisions that appear in what Curtis called the Charter of Children's Rights of the British Advisory Center of Education and the National Council for Civil Liberties.

However, the attack sheet maintains that these provisions are in the Mondale bill. They are not.

The odd part of all this is that the bill is backed by the PTA, many of the churches, the AFL-CIO, the National Education Association and a host of others. Yet, it seems to be very misunderstood, in our area at least.

There are two sentences in the bill which Senator Mondale in a telephone call to The Dispatch yesterday, says were inartfully included and that he will offer amendments today to delete or clarify them.

The first is from the purpose portion of the bill which states that the programs should be undertaken as a "partnership" between parents and government. Some have attacked that word "partnership," fearing it means they must share the control of their child with the government. All the word sought to provide for, he said, was an assurance that parents had to be involved in the programs. The word, however, is to be deleted.

The other sentence is one which defines parents as "any person who has sole day-to-day responsibility for any child." This, too, has come under attack by those who fear that this could be interpreted to mean a government worker who was with the child during the day. The definition, the Senator said, was written that way so that it could apply to foster parents and guardians. His amendment, he said, will clarify that issue.

We are the first to say that bills presented at city, county, state or national level should be subjected to the closest scrutiny possible by the populace, but let's do just that — scrutinize. Let's know what we are talking about and not be taken in by false statements and innuendos.

The Catholic Bulletin
January 30, 1976

Mondale family bill gets state bishops' approval

Archbishop John R. Roach, writing on behalf of Minnesota's Catholic bishops, endorsed Sen. Walter Mondale's Child and Family Services bill, calling many of the attacks on the measure "dishonest."

The letter was released last week with the archbishop's approval by the Minnesota Democrat's Washington office as part of a Mondale counterattack on what his aides described as an unprecedented "inaccurate propaganda campaign" by anonymous parties attacking the bill.



Abp. Roach

Michael Sullivan, a Mondale aide, told the Catholic Bulletin in a Jan. 23 telephone interview from Washington that the senator's office in one week was bombarded with more than 1,000 letters, most of which opposed the bill. Many of the letters quote from anonymous circulars and brochures claiming the measure would destroy family life, Sullivan said.

The bill has prompted more mail than any other piece of legislation ever sponsored by Mondale.

Abp. Roach, noting that the Mondale bill was discussed Dec. 10 by the state's bishops, meeting as the Minnesota Catholic Conference board of directors, wrote: "The attacks on that bill are dishonest, and we, as the bishops of Minnesota, deplore them."

"The bill would fill an urgent need and, at least as we read it, is very careful in

providing proper protection for the rights of parents."

The archbishop authorized Mondale's office to release the letter, saying: "If this letter of support for your bill can be used to its advantage, we want to raise our voices in support of it."

The senator's office released with the letter a copy of a speech by Mondale which labled the anonymous campaign against the bill "one of the most distorted and dishonest attacks I have witnessed in my 15 years of public service."

Mondale said the proposed legislation would provide a wide range of child and family services on a voluntary basis.

THE CATHOLIC BULLETIN JANUARY 30

Setting the Record Straight

Child Care Program Does Not Threaten Families

National Education
Association Reporter

February, 1976

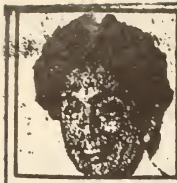
A vicious propaganda campaign against the pending Child and Family Services Act (HR 2966, S 626) is being waged across the country. Unattributed flyers full of distortions and untruths are being circulated in churches, shopping centers, and the news media. The attack on the bill repeats much of the rhetoric used at the time President Nixon vetoed the similar Child Development Act of 1971.

The flyers condemn the bill as a design for imposing "the Soviet-style system of communal child-rearing." They contend the legislation contains two features which are nowhere in the bill—a "child-advocacy clause" which would have government-appointed specialists assuming the parent's authority over the child, and a "charter of children's rights" which would permit children to sue their parents, to file complaints against teachers and parents, or to refuse to be taught anything about God.

There is no truth to this campaign. NEA supports the measure, which authorizes such programs as day care centers and family day care homes for children of working parents, prenatal and other maternal and child health services, food and nutrition services, and special programs for handicapped children.

All programs under the law would be provided on a voluntary basis only to children whose parents or legal guardians request such services. Parents would have more authority and control over the programs funded under this bill than they now do over most public school or day care programs. And the federal government would not dictate the nature of the program in any given locality.

In testimony before Congress last year, NEA supported the bill, urging the enactment of language that would help states and local communities provide day care services, including early childhood development programs, health services, public community centers for the seriously handicapped, and family counseling. NEA called for the maximum involvement of educators and parents at the operational and administrative levels, asked that public school systems be permitted to act as prime sponsors of day care programs, and urged that funds be provided for training and retraining of personnel for the federally assisted programs.



Minneapolis Tribune

February 1, 1976

Geri Joseph
Contributing Editor

To be a politician in the United States is to be part of a hazardous and confusing profession, subject to often irreconcilable and sometimes irresponsible views we call public opinion. Nobody knows that better than Minnesota's Sen. Walter F. Mondale.

Last year, the senator won high praise from the American Academy of Pediatrics. It gave him its first award for excellence in public service for his demonstrated concern for children.

This year, however, Mondale finds himself under fierce attack for his proposed Child and Family Service Act of 1975, which seeks to provide a variety of quality child and family services. These would be voluntary and run by community and parent organizations.

The campaign against the bill has reached such proportions that Mondale's staff of four in Minneapolis has spent several weeks doing nothing but responding to letters and calls, and his Washington office has been similarly deluged.

The situation is particularly frustrating because a careful reading of the bill reveals that it contains none of the dreadful proposals critics are quoting in letters to the editor or distributing in mimeographed handbills all over the country. Their charges that the bill is Communist-inspired and that "Reds" in our government are "trying to take our children away from us" are the typical, fear-mongering jargon used by extremists.

But the campaign has been so widespread and insidious that this columnist, curious about where critics are getting their information, called one of the letter writers. He is George C. Bergland of LeRoy, Minn., an ordained Baptist minister serving the nondenominational Bethany Bible Church.

From what he told me, it appears that Mondale and his bill are getting the "treatment" from some of the nation's numerous right-wing strongholds. Bergland said the several sources of his information include a magazine published by Bob Jones University in Greenville, S. C.; the Christian Crusade Weekly, publication of an organization called the Christian Crusade with offices in Tulsa, Okla., and the Church League of America in Wheaton, Ill. This last group, he said, has been in business for 40 years and is the "most reliable." He explained, "They make some startling statements, but they've never been sued yet."

I asked if he was aware that his letter makes false claims about what is in the Mondale bill. Well, he replied, "It all points to the taking over of education of children from the parent, exactly what the Communists are doing. We want to stop it if we can." The bill, he implied, is a foot in the door of chaos. "Remember," he added, "public education was voluntary, too, to begin with."

The organizations cited by Bergstrom are all too familiar to anyone who keeps an eye on the "radical right" movement in this country. The stridently anti-Communist Christian Crusade, for example, was until about a year ago headed by Billy James Hargis, a highly successful fund-raiser. Hargis endorsed the John Birch Society, claimed traitors were everywhere and preached against civil rights. "If you want to serve nobody but a blue-eyed German at your place of business, that is your right," he said once.

Bob Jones University, run by a family "dynasty" — Bob Jones, Dr. Bob Jones Jr. and now Bob Jones III — is a fundamentalist school, a vocally segregationist in the past. At one time, students and faculty reportedly could be expelled if they did not believe that God intended segregation of the races. Only last September, under threat of losing its federal tax-exempt status, the school changed its enrollment policy that had excluded unmarried black students.

As for the Church League of America, as far back as 1964 it was condemned by a prestigious committee of 80 national leaders as one of 12 front groups of the John Birch Society. That same year, the United Church Women accused the Church League and similar organizations of spreading doctrines that breed "suspicion, division and hatred."

The current hysterical charges against Mondale's proposals deserve to be condemned in the strongest possible terms. Not only are they untrue, but in their shrill appeal to fear and prejudice, they smother attempts at rational discussion of the bill. And there are serious questions to be raised. For example: Does this proposal try to do too much? Is it too costly? Is it necessary to create yet another bureaucratic structure and more committees to do the job called for in the bill?

Between the scare campaign waged by right-wing groups and the real concerns about the bill, it does not have a prayer of becoming law this year. Nevertheless, I would like to offer an encouraging word to Mondale:

Not many politicians are as concerned as you have been about the impact of government policies on family life. Nor have they been as committed to the idea that the healthy development of children — with all that implies for education, medical care, a decent home environment — must be among government's top priorities.

Some of your advisers have felt that your preoccupation with these matters does not give you enough political "visibility" or "mileage." Never mind. A lot of us think you are on to something fundamental to the well-being of our country. Please keep trying.

Even Nonexistent Parts of Child Bill Draw Fire

By Martha Angle

Washington Star Staff Writer

From all over the country, the mail is flooding Capitol Hill — angry, frightened, sometimes hysterical letters from parents convinced that Congress is about to strip them of control over their own children.

"Are you people out of your minds? If you want children, have your own — but keep your hands off mine!" one mother from Saline, Ore., told Sen. Walter F. Howard, D-Minn. "How completely outrageous that a country founded on freedom should attempt that they have the right to take the freedom of their children from their parents," another from Edinboro, Pa., couple an Edmund pass such an absurd bill? Aren't most of the congressmen family men?" asked a Lincoln, Ark. couple.

WHAT THESE and most of the letters now swamping House and Senate offices have in common is a total misconception of the legislation they are protesting. The bill which has generated all the uproar is the proposed Child and Family Services Act, sponsored by Mondale and Rep. John Dingell. It is a revision of legislation approved by Congress in 1971 but vetoed by President Nixon.

Except for the fact that it does, indeed, deal with social services for children and their families, the measure bears no resemblance whatever to the catalog of horrors which produced the mail attack now inundating Capitol Hill. Furthermore, the legislation is going nowhere in the current Congress, so the opponents are beating a dead horse already dead on its feet.

Although 12 days of joint House-Senate hearings were held on the bill last week, Mondale and Brademas both concede that tight budgets preclude adoption of an expensive new social program at this time.

WHAT HAS apparently touched off the deluge of protest mail is the widespread distribution, in chain-letter fashion, of anonymous mimeographed scare literature purporting to describe the contents of the Mondale-Brademas bill.

Both the literature, and the resulting mail, began surfacing last fall, and the campaign has accelerated in recent weeks. Mondale's office alone is receiving about 100 letters a week on the bill and Family Services Act, nearly all of it furiously attacking nonexistent provisions of the bill.

relying on as they write to protest the bill. "We think some of it is originating in McLean, Va. and in Washington, but we can't identify the sponsors as yet," he said.

The principal document angry constituents seem to be accepting as gospel is a two-page, unsigned mimeographed flyer entitled "angry constituents angry."

This anonymous circular, which urges readers to write to President Ford and their congressmen, asserts the Mondale-Brademas bill "would take the responsibility of the parents to raise their children and give it to the government."

QUOTING FROM the Congressional Record, without identifying the source of the material cited nor the date it appeared, the flyer claims the "Charter of Children's Rights of the National Council on Civil Liberties" has been made "a part of the pending legislation."

It then proceeds to quote excerpts from this charter and to embellish the citations with explanatory comments.

"All children have the right to protection from, and compensation for, the consequences of any inadequacies in their homes and ready to believe anything."

"It's a complete fraud," Mondale said. "None of it is in our bill, but people think it's fact. There's so much cynicism and frustration about government, they're ready to believe anything."

backgrounds," the flyer quotes the charter as saying. "In other words," the literature explains, "never punish your child because he may come back on you with a civil suit."

Another charter excerpt reads: "Children have the right to protection from any excessive claims made on them by their parents or authority."

THE CIRCULAR interprets this "right" to mean that "if the parent or father asked the child to take the garbage out and the child doesn't want to, the parents have no right to insist on it."

"Children have the right to freedom from religious or political indoctrination, the next alleged charter excerpt states.

"That means," the flyer helpfully explains, "that you have no right to insist on taking them to church, if they do not wish to go. This also means they have the freedom to insist that they be taught nothing, nor any ideas, about God."

The only difficulty with all this is that it is a pure fabrication, at least as far as the actual legislation concerned. But Congress is concerned.

"On the major television station in my own town (South Bend, Ind.), I heard a very vicious attack on the bill which was obviously based on this scare literature," he said.

"When I called the news station in my own town (South Bend, Ind.), I heard a very vicious attack on the bill which was obviously based on this scare literature," he said.

After extensive research, backers of the Child and Family Services Act have traced the Congressional Record quotations cited in the anonymous scare literature back to the 1871 Senate debate on the predecessor legislation which Nixon vetoed.

The quotations, they have discovered, were drawn from extraneous material inserted into the Record by Sen. Carl Curtis, R-Neb., none of which had anything to do with the bill then under consideration — let alone the existing proposal.

The "Charter of Children's Rights," which has been incorporated into the Mondale-Brademas bill, was actually the product of a British organization and has never received any consideration in this country.

Brademas said it was bad enough to have "outright falsifications," spread around the country by unidentified "right wing radical extremists," but added that the misrepresenations have been multiplied by irresponsible newspapers and broadcast outlets in many states.

"There is plenty of legitimate opposition to the bill, \$1.8 billion over the next few years for day care, programs for child health, programs, food and nutritional services and aid for handicapped children."

The Nixon administration, like the Nixon White House before it, opposes the legislation for both fiscal and philosophical reasons.

"We do not believe that the American people have reached a consensus that the federal government should provide the kind of mass developmental day care for pre-school children envisioned in this bill," said former HEW Secretary Caspar W. Weinberg in testimony last summer.

Nonetheless, approximately 100 major educational, religious, charitable and civic groups across the nation have endorsed the measure.

director to complain, he admitted he hadn't read the bill or bothered to call me for an explanation of its contents. They ultimately broadcast a retraction."

THE PROBLEM, Brademas said, is that "once you tell the big lie, it's very difficult to correct. I don't mind criticism of the bill, and I don't mind opposition — there's plenty of room for disagreement."

"What I do object to is this deliberate falsification of the contents of the legislation," Brademas said. "There is plenty of legitimate opposition to the bill, \$1.8 billion over the next few years for day care, programs for child health, programs, food and nutritional services and aid for handicapped children."

The Nixon administration, like the Nixon White House before it, opposes the legislation for both fiscal and philosophical reasons.

Washington Star
February 3, 1976
(continued)

These include such diverse organizations as the National Education Association, the Salvation Army, the Southern Baptist Convention, the National PTA, the AFL-CIO, American Academy of Pediatrics, B'nai B'rith, Boys Club of America and the National Association for Retarded Children.

PARTLY IN response to criticism of the 1971 bill, the sponsors have stressed parental participation and supervision in most of the programs outlined in the current legislation. The measure repeatedly

emphasizes that all services provided are available on a purely voluntary basis, and that the underlying objective of the bill is to "strengthen family life, rather than destroy it, as critics fear."

"I've got a lot of respect for the good judgment and honesty of the American people," Mondale said. "This smear campaign may very well backfire on those who are conducting it."

"It may take time, but the need for child and family services legislation has been well documented. Sooner or later, we'll succeed in passing it," he said.

Congress not taking over children

By Robert P. Hey

Washington

Suppose you received an anonymous letter claiming that Congress might take away your authority to rear your children as you see fit — and give it to the government. Would you unquestioningly believe it?

Tens of thousands of Americans apparently have. From all parts of the United States they've been deluging members of Congress for several months with angry letters demanding that Congress reject this proposal. It is one of the heaviest, longest-lasting mail campaigns in many years.

It is also one of the most disturbing. For the anonymous letters on which it is based consist almost entirely of distortions and outright falsehoods. A careful examination of the congressional bill they attack shows no section of it would give control of children to the government, despite the anonymous flier's assertions that such a change "is becoming part of" the proposal. Further, a check of congressional sources shows no such change ever was contemplated.

On the contrary, the bill aims to aid many American families, especially the poor, by providing day-care facilities for children and health assistance. No family would be forced to participate in such a program — it would be entirely voluntary.

To several congressional sources the most disturbing element — with ominous overtones for the future — is the depth of Americans' cynicism about government and public officials, as indicated by their automatic acceptance of the charges as fact. Several congressional sources familiar with the case believe only today's deep wellspring of public discontent makes many Americans ready to believe the charges right away.

Sen. Walter F. Mondale (D) of Minnesota, the Senate's chief sponsor of the proposal under attack tells this newspaper: "The polls would suggest a total distrust of politicians and government . . . [which] may have helped create an environment in which people are willing to believe almost anything — and [which] makes us all the less credible when we as members of Congress try to explain what the facts really are."

The irony is that the Mondale proposal — by the Senator's own admission — had no real chance of passage this year because it would cost more than Congress felt the government could spend in these difficult economic times. Under the proposal, sponsored in the House by Rep. John Brademas (D) of Indiana, \$150 million would have been authorized for the

first year of the program, with costs rising to \$1 billion four years later.

But the mail campaign flooding Congress has entirely killed the modest hope of sponsors that they could gain congressional approval of some kind of compromise bill — one which would have begun providing more money for health, nursery, and day-care aid than now exists. Although these protesting letters generally are based on misinformation, congressional sources say they have had an impact on Capitol Hill sufficient to scuttle the prospects for compromise.

Supporters of the proposal have not been able to find out precisely which groups are behind the unsigned letter campaign.

In part it is so persuasive because the fliers look official and well researched.

But most of the facts are not accurate. The fliers say, in the words of one, that a "charter of childrens' rights of the National Council of Civil Liberties is becoming part of" the proposal. But in fact this "charter" never has been connected with the proposal. It is not connected with any U.S. group but was drafted by a British organization, according to Sen. Carl Curtis who introduced the subject of the charter into the Congressional Record in 1971.

None of the "rights" the flier identifies as part of the charter — the right to sue your parents for punishment, or to refuse to take out the garbage — has ever been considered as part of the bill despite the allegations of the anonymous fliers.

Similarly, one flier charges that "the Congressional Record states" that what is at issue is whether parents or the government shall exert control over children and the family. This statement leaves the impression that the Congressional Record is an official voice of government. Actually, the Congressional Record is an all-inclusive record of everything said on the floor of the U.S. Senate and House of Representatives — and includes much material provided by members of Congress which was not said, but is printed in the publication anyway.

Sponsors of the bill say they cannot find any record of such a statement having been made in the Congressional Record. And if it was, it was either made by a member of Congress, or was written material which he had placed in the record — and thus is not official or unofficial government policy.

Mr. Hey is a staff correspondent of The Christian Science Monitor in Washington.

U. S. NEWS & WORLD REPORT

March 1, 1976

FALSE ALARM

(By Howard Fieger)

Every now and then a reader writes us in words of terror to warn that a Marxist plot is afoot in Congress to "nationalize" our children—take them away from the protection or control of their parents and destroy the American family, utterly and forever.

The volume of mail received here is not a patch on the sacks of it that have been hitting some congressional offices.

The writers are alarmed over what they've been informed is an insidious scheme to give youngsters the legal right to disobey their parents, and thus become pawns of Government—an all-powerful Big Brother to mold their training, conduct and beliefs.

Strange.

It is strange because there isn't a word of truth in it. No such legislation is before this Congress, or ever has been.

The specific bill that has so many people disturbed is "The Child and Family Services Act of 1975." Its authors are Sen. Walter Mondale (Dem.), of Minnesota, and Rep. John Brademas (Dem.) of Indiana. It is "S. 626" in the Senate, "H.R. 2966" in the House. Read it before you panic.

In its present form, the legislation is both innocent and impotent: innocent because it would do none of the things attributed to it; impotent because it isn't going anywhere.

Briefly stated, the proposal is to make federal funds available to help States and communities provide certain public services for children and their families.

These would include such things as pre-natal care, food where needed, part or full-time day care for children of working mothers, tutoring at home where deemed useful, medical examination and treatment for certain handicapped children, and training for parents and about-to-be-parents.

There is nothing compulsory about the legislation now before the Congress. Even if the bill were enacted, anyone who felt like it could ignore each and all of its provisions.

Nothing in it says—or implies—that youngsters have a legal right to disobey their parents or guardians.

Nowhere does it forbid parental guidance advice or preference in religious training. The subject isn't mentioned.

In fact, it says in specific words:

"Nothing in this act shall be construed or applied in such manner as to infringe upon or usurp the moral and legal rights and responsibilities of parents."

So why all the excitement? It is puzzling to Senator Mondale, one of the chief sponsors, who says the measure "is being subjected to one of the most distorted and dishonest attacks I have witnessed in my 15 years of public service."

There is another practical thing to keep in mind about The Child and Family Service Act: It would cost a lot of money. Estimates are that an initial annual expense of 150 million dollars would grow to almost 2 billion by the third year of operation.

This present Congress is in no mood to add such a burden on taxpayers who already are making angry noises about waste and the high cost of Government. Since this is election year, the measure probably has less chance now than a year ago, when it was introduced—and that means practically none.

Also, remember the President is demanding that Congress do more to hold the line on spending. It is a keystone of his campaign to be against this bill, and any like it.

So everybody can stand at ease.

The bill doesn't provide all those wild things the letter-writers fear. It has no realistic chance of adoption. And even should it overcome its rating as one of the longest shots in history and somehow be enacted by Congress, it would be vetoed almost the minute it reached the White House.

The furor is a false alarm. Forget it.

[From the Congressional Record--House, December 1, 1975]

THE VICIOUS AND DISHONEST CAMPAIGN AGAINST THE CHILD AND FAMILY SERVICES BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. O'NEILL) is recognized for 5 minutes.

Mr. O'NEILL. Madam Speaker, few matters concern me more than the growing erosion of confidence by Americans in their public officials.

Of course, when those who hold public office abuse their trust, I understand how citizens can lose faith.

But when that confidence is destroyed as a result of tactics of smear and deception, the tactics of Watergate, unwittingly aided by a lackadaisical press, I feel it important to protest such tactics.

And, Madam Speaker, I must report to the House that I believe such tactics of smear and deception are today being used, in reckless disregard of the facts, to attack a piece of legislation which has been introduced by 124 Members of the House of Representatives and Senate, of both our political parties.

The bill to which I refer is the Child and Family Services Act of 1975, which has been introduced by our distinguished colleague, the gentleman from Indiana (Mr. BRADEMAs), and the distinguished senior Senator from Minnesota (Mr. MONDALE) as well as by the gentlewoman from Hawaii (Mrs. MINK), the gentleman from California (Mr. BELL), the gentlewoman from Massachusetts (Mrs. HECKLER), the senior Senator from New York (Mr. JAVITS), and as I have already indicated, many other Members of the House and Senate, both Democrats and Republicans.

PURPOSE OF THE CHILD AND FAMILY SERVICES ACT

Mr. Speaker, the principal purpose of the proposed Child and Family Services Act is, in the language of the bill, H.R. 2966:

To provide a variety of quality child and family services in order to assist parents who request such services, with priority to those pre-school children and families with the greatest need, in a manner designed to strengthen family life and to insure decision-making at the community level, with direct participation of the parents of the children and other individuals and organizations in the community interested in child and family service (making the best possible use of public and private resources), through a partnership of parents, State and local government, and the Federal Government, building upon the experience and success of Headstart and other existing programs.

The bill also, in its statement of findings and purposes, reads as follows:

Sec. 2. (a) The Congress finds that—

(1) the family is the primary and the most fundamental influence on children;

(2) child and family service programs must build upon and strengthen the role of the family and must be provided on a voluntary basis only to children whose parents or legal guardians request such services, with a view toward offering families the options they believe to be most appropriate for their particular needs;

(3) although there have been increased services for children of working mothers and single parents and although Headstart and similar programs have provided supplemental educational and other services for children, such services have not been made available to families to the extent that parents consider necessary; there are many parents who are working full or part time without adequate arrangements for their children, and there are many children whose families lack sufficient resources to obtain adequate health, nutritional, educational, and other services;

(4) it is essential that the planning and operation of programs be undertaken as a partnership of parents, community, private agencies and State and local government with appropriate supportive assistance from the Federal Government.

Mr. Speaker, despite the findings and purpose of the proposed Child and Family Services Act of 1975, this bill has been the subject of some of the most scurrilous and misleading propaganda that I have ever seen.

Members of Congress in Indiana, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, Oklahoma, and Texas have received a substantial amount of mail from their constituents attacking alleged provisions of the bill which in fact are not in the bill nor ever contemplated by its sponsors for inclusion in it.

UNSIGNED FLYER BEING CIRCULATED

Mr. Speaker, at the risk of giving wider circulation to these false and vicious attacks, I shall here insert one of the apparent sources of this correspondence, the following flyer, which, unsigned by any sponsoring organization, has been circulated in mimeographed form in a number of States across the country:

RAISING CHILDREN—GOVERNMENT'S OR PARENT'S RIGHT?

There is before Congress legislation known as The Child & Family Service Act of 1975 (Senate: S262 & House: HR2966). If passed it would take the responsibility of the parents to raise their children and give it to the Government.

CHILD ADVOCACY CLAUSE

In the Congressional Record we read: "If, in the judgment of those who are in charge of such a program (the State by way of the Secretary of Health, Education and Welfare), parents are not doing a good job, the advocate (a "specialist" appointed by the government) would enter the home and direct the education, even with the home. And, if the parent would object, the authority in the home would, De Facto, be transferred to these advocates."

Charter of Children's Rights of the National Council of Civil Liberties is becoming a part of this Child Development Act. Following are four of the several items proposed in this charter. They can be found on page 44138 of the Congressional Record.

(1) "All Children have the right of protection from, and compensation the consequences of any inadequacies in their homes and backgrounds." (Note: In other words, never punish your child because he may come back to you with a civil suit.)

(2) "Children have the right to protection from any excessive claims made on them by their parents or authority." The question was asked, by way of example, what do you mean by the fact "Excessive claim", and the example was given, "If the mother or father asked the child to take the garbage out and the child doesn't want to, the parents have no right to insist on it."

(3) "Children have the right to freedom from religious or political indoctrination." That means that you have no right to insist on taking them to church, if they do not wish to go. That also means they have the freedom to insist that they be taught nothing, or any ideas, about God.

(4) "Children shall have the freedom to make complaints about teachers, parents and others without fear of reprisals." This speaks for itself.

This piece of legislation was vetoed in 1971, but it is back on the floor of Congress and now has the votes to pass. It is our obligation to tell our legislators: Senators Bayh and Hartke & our U.S. Representatives what we think of this legislation. Only our complaints can change their minds. They take your vote seriously. Take the trouble to write or suffer the consequences of your silence.

CAN THE GOVERNMENT TAKE AWAY YOUR CHILDREN?

Comprehensive child development, the Soviet-style system of communal child rearing which almost became law in this country in 1971 is once again being pushed through Congress. The current bills HR. 2966 (House of Representatives) S628 (Senate), are virtually identical to the original act passed in 1971, but fortunately vetoed by the then president, Nixon. Now it is known as the Child & Family Services Act of 1975 and any changes are merely cosmetic.

In vetoing the original bill which would have removed children from their parent's instruction shortly after birth, Mr. Nixon said that it would weaken the American family by committing "the vast moral authority of the national government to the side of communal approaches to child rearing over against the family oriented approach."

We are in serious danger of "Sovietizing" the education of our children if we let the Child & Family Services Act of 1975 pass. Those who support this Act in the Congress are convinced that it will "Sail through the House."

According to the Congressional Record, the intent of this bill is for the government to be responsible . . . for the nutritional interests of your child, for all Psychological interests of your child."

The following excerpts are taken from the Congressional Record: "What is at issue is whether the parent shall continue to have the right to form the character of the children or whether the State, with all its power & magnitude, shall be given the decisive tools and techniques for forming the young lives of the children of this country."

"As a matter of the child's right, the Government shall exert control over the family because we have recognized that the child is not the care of the parents but the care of the State. We recognize further that not parental, but communal forms of up-bringing have an unquestionable superiority over all other forms. Furthermore, there is serious question that maybe we cannot trust the family to prepare young children in this country for this new kind of world which is emerging."

This all smacks of Communism. This is what in fact has been and is being done in Soviet Russia. This is what can become the law of our land. If the Child & Family Service Act of 1975 is passed by the Congress. We elected this Congress, but do we know what they are attempting to do to our freedoms and our rights?

LIBRARY OF CONGRESS ANALYSIS DISCREDITS FLYER

Mr. Speaker, I am confident that every fair-minded Member of this House must agree that the statements contained in this flyer are not only outrageous distortions of the purpose of the proposed legislation but gross falsifications of the actual language of the bill.

In fact, a point-by-point analysis of this handbill made by the Library of Congress demonstrates that virtually all of the statements in it were either made by Senators or others who in 1971 opposed similar legislation or are apparently, statements taken from publications of an organization in a foreign country and falsely attributed to the child and family services bill.

I cite, for example, the "Charter of Children's Rights of the National Council of Civil Liberties" referred to in the flyer.

The flyer alleges that this "charter" to which I refer "is becoming a part of" the child and family services bill.

The fact is that such a "charter" has never even been considered in the House of Representatives and will not become a part of the legislation.

Rather, the "charter" cited in the flyer was mentioned in a speech made on December 2, 1971, by Senator CARL CURTIS of Nebraska in opposing the comprehensive child development bill which was then under consideration.

The charter, according to Senator CURTIS, was developed by a British organization and, as the Library of Congress study notes, Mr. Speaker, Senator CURTIS did not claim in his statement

Said the Goshen News:

To distribute leaflets with false information is hardly the proper way to oppose the legislation. It really is an unfair "smear attempt" to suggest that "hardly a citizen realizes that we are voting ourselves into Communism without a whimper of protest" and that the bill "will cost you about the last vestige of control over the family you think you have."

ANN ARBOR, MICH., NEWS

The Ann Arbor, Mich., News said, in a Sunday, November 16, editorial:

Such legislation is always subject to debate, but the debate should be based on facts and not on misinformation circulated as a scare tactic. It is difficult to determine the truth and even to understand some of the legislation being proposed in Lansing and Washington. It is totally irresponsible to misrepresent it.

Mr. Speaker, as the Grand Rapids Press says:

Finally, the purported "facts" contained in the flyer are so outlandish and totally out of character for the bill's two respected sponsors—Rep. John Brademas of Indiana and Sen. Walter Mondale of Minnesota—that they should be discounted out of hand.

THOMAS L. BLAXTON OF OKLAHOMA

Finally, Mr. Speaker, there is one other individual whom I would like to mention in commending those who have vigorously stood up for the truth in the face of the campaign and deception that is being waged against the child and family services bill.

That man is the Reverend Thomas L. Blaxton of Yukon, Okla.

When the poison hit his area in western Oklahoma, he went to the district office of the gentleman from Oklahoma (Mr. ENGLISH) to request the facts about the bill.

On finding that the flyers were inaccurate, the Reverend Mr. Blaxton wrote to all the clergymen in his town in order to enable them to refute the propaganda during their Sunday services. He also sent a letter to the editors of two newspapers in Oklahoma City. His letter, also printed in the Yukon Review, concludes by saying:

Parents, we better wake up, shake ourselves good, study these bills and write our Senators and Representatives to support the bill as it now is and for them to be on the alert for the tricks of those who oppose it. . . . Just remember the next paper you are handed that has no heading or signature. Throw it in the trashcan, better yet burn it so no one will be misled and confused by it.

CONCLUSION

Mr. Speaker, whether we support or oppose this legislation, I urge that every Member of the House be on alert for the fearmongers who spread such poison throughout the land. For credibility and confidence in the efforts of responsible Members of Congress cannot be allowed to suffer at the hands of malicious individuals who spread such outrageous falsehoods.

Mr. Speaker, an excellent analysis of the distortions of the Child and Family Services Act was presented to the Senate by Senator MONDALE and can be found starting on page S20397 in the CONGRESSIONAL RECORD of November 19, 1975.

[From the Congressional Record—Senate, February 17, 1976]

CHILD AND FAMILY SERVICES

Mr. WILLIAMS. Mr. President, over the last few months I have received hundreds of letters opposing S. 626, the Child and Family Services Act. In most instances, the position of the writers has been based on totally inaccurate information they have received about S. 626. Tragically this misinformation has been circulated in the form of an anonymous, unsigned flyer which cites provisions which do not appear in the bill and viciously misinterprets provisions of the bill by quoting language out of context and in combination with other material which does not appear within the bill.

This situation has been quite disturbing to me, having been a cosponsor of the bill since its original introduction in 1970. I have actively participated in hearings and initial congressional passage of this legislation over these years, and the undisputed need of communities for comprehensive day-care services for young children has reaffirmed my belief that this bill is a sensitive and important response to enriching the lives of families with young children and represents an important commitment to this Nation's children.

Programs supported by this bill could provide prenatal and postnatal care, nutritional services, and early medical screening—services which could cut back on the high infant mortality rate in this country and assure early medical treatment and assistance to children with developmental handicaps and with physical problems. The bill could also support early identification programs for children with handicapping conditions and support for community day-care programs for the more than 6 million children under age six whose mothers work.

This bill has been supported in the State of New Jersey by Ann Klein, commissioner of the department of institutions and agencies, and I have received the enthusiastic support of many local community groups which currently provide day care and other services for children. Commissioner Klein has estimated that while more than 55,000 children currently receive day care and other services within the State, there are more than 145,000 additional children in need of such services and that early screening, nutrition care, prenatal and postnatal care and diagnostic care in early childhood would be highly beneficial to children in many communities throughout the State.

I am deeply concerned that this bill has been subjected to a campaign based on so much erroneous information. Persons from my home State and from around the country have written, horrified because they were led to believe that the supporters of this bill would take their children away from them. If that were true, I would be as horrified as they and I would never support such legislation.

But there is no truth to this or any of the other invalid claims which have been made about this bill. Those unknown persons who have circulated these distortions are playing on people's most basic fears. Yet, I believe that this bill merits the attention of all of us because it deals with two issues which are very important—the health and welfare of young children in this Nation and ways to provide supportive services to families to help them cope with the increasing pressures of our society. All S. 626 tries to do is to make the improved quality of life for our children and the American family a higher priority.

It does this by setting up a procedure through which groups in the local communities can be funded. If this mechanism and this bill are not exactly what should be approved, then it can be changed. Or, if better opportunities for our children and their parents should not be a priority in this country, then this Nation should decide that. But, we should not let this issue die at the hands of a fear campaign based on misinformation and misunderstanding. It is for this reason that I believe the record must be set straight about the provisions of S. 626 so that we might really confront the issue of whether the Federal Government should make additional funds available for early screening diagnostic care and day-care services.

Many of the cosponsors of this bill have placed material in the RECORD over the last few months which I believe is helpful in clarifying this debate. And most recently, Senator MONDALE, author of this bill in the Senate, introduced two amendments to the bill to clarify two of the more frequent misinterpretations of the bill relating to the definition of "parent" and the overall purposes of S. 626. I believe it is important that those concerned individuals who have written to me have an opportunity to see these amendments, an explanation of these amendments, a summary of the need for this legislation, a section-by-section analysis of the bill, a statement adopted by an interreligious group of organiza-

tions in support of S. 626, a point-by-point response to the unsigned flyer which has been circulated, and various newspaper articles regarding this bill and the inaccurate information which has been circulated about it. I ask unanimous consent that I may have these materials printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXPLANATION OF AMENDMENTS
DEFINITION OF PARENTS

One issue being raised in other propaganda attacks involves completely false statements about the meaning of the term "parents" as defined in this legislation.

The definition of parent was added to the bill solely for the purpose of clarifying—in the cases of children who have been adopted or are living with a guardian or are in foster care—who is eligible to serve on the parent controlled boards which govern, select and establish any programs under this act. That definition described a parent as "any person who has primary day to day responsibility for any child." Opponents of the legislation have seized upon this definition and mistakenly alleged that it would somehow transfer the rights and responsibilities of natural parents to school teachers or day care workers who care for the child perhaps 30 or 40 hours per week. This charge, of course, is preposterous. By no stretch of the imagination can someone caring for a child 40 hours of the week be construed to be the person with primary day to day responsibility for the child. Yet, some opponents of the legislation have made that allegation and have caused unnecessary concern to many decent Americans.

In order to underscore and clarify the original intent of this legislation—which has the effect of defining a parent as a natural parent except in cases of legal guardianship or foster care—I am introducing an amendment to S. 626 today. This amendment should put to rest any concern that the definition in the bill could somehow be used to diminish or interfere with the rights and responsibilities of natural parents. The amendment states unequivocally that "nothing in this act shall alter or interfere in any way with the rights and responsibilities of parents." I ask unanimous consent that a copy of this amendment appear at this point in my remarks.

AMENDMENT NO. 1389

On page 56, strike lines 3 and 4 and insert therein: "Nothing in this Act shall alter or interfere in any way with the rights and responsibilities of parents. The term 'parents' shall in no case include any person caring for the child in the capacity of teacher or day care staff, nor shall the term 'parent' include any other person on whom legal guardianship of the child has not been conferred under applicable State law."

DEFINITION OF PARTNERSHIP

Another aspect of the bill which has been the subject of equally dishonest allegations concerns the statement that any program made available under this legislation should be offered "through a partnership of parents, State and local governments and the Federal Government." This phrase, which is part of a much longer statement in section 2(b), was designed simply to underscore the intention that any program offered under this bill include parent involvement and control. Specifically, this phrase was included to clarify the intent of this bill that any program funded under it would not be operated by some insensitive and remote Government bureaucracy.

Yet, this phrase has been taken out of context and alleged to mean that parents and the Federal Government would somehow become "partners" in child rearing.

This allegation is obviously inaccurate and dishonest. Yet, it has caused concern to many decent Americans who have not seen this phrase in context, or understood its legal effect.

Because this phrase has been so totally misinterpreted, I am offering an amendment to S. 626 to strike it from the bill.

This amendment is designed to clarify that sponsors of this legislation have no desire to establish the kind of partnership which has been mistakenly alleged.

Mr. President, I ask unanimous consent that my amendments, and the entire statement of findings and purpose of the legislation in which the partnership clause appears, be printed in the RECORD.

There being no objection, the amendments and statement were ordered to be printed in the RECORD, as follows:

AMENDMENT NO. 1388

On page 3, line 7 and 8, strike out the following phrase which has been subject to misunderstanding and is without legal effect: "Through a partnership of parents, State and local government and the Federal Government".

STATEMENT OF FINDINGS AND PURPOSE

Sec. 2. (a) The Congress finds that—

(1) the family is the primary and the most fundamental influence on children;

(2) child and family service programs must build upon and strengthen the role of the family and must be provided on a voluntary basis only to children whose parents or legal guardians request such services, with a view toward offering families the options they believe are most appropriate for their particular needs;

(3) although there have been increased services for children of working mothers and single parents and although Headstart and similar programs have provided supplemental educational and other services for children, such services have not been made available to families to the extent that parents consider necessary, there are many other children whose parents are working full or

part time without adequate arrangements for their children, and there are many children whose families lack sufficient resources who do not receive adequate health, nutritional, educational and other services;

(4) it is essential that the planning and operation of such programs be undertaken as a partnership of parents, community, private agencies and State and local government with appropriate supportive assistance from the Federal Government.

(b) It is the purpose of this Act to provide a variety of quality child and family services in order to assist parents who request such services, with priority to those preschool children and families with the greatest economic or human needs, in a manner designed to strengthen family life and to insure decisionmaking at the community level, with direct participation of the parents of the children served and other individuals and organizations in the community interested in child and family service (making the best possible use of public and private resources), through a partnership of parents, State and local government and the Federal Government, building upon the experience and success of Headstart and other existing programs.

CHILD AND FAMILY SERVICES ACT NEEDS

The infant mortality rate in the United States is higher than that of 13 other nations.

Each year an estimated 200,000 children are struck by handicaps which could have been prevented if their mothers had received early health care.

Forty percent of the young children of this country are not fully immunized against childhood diseases.

Sixty-five percent of all handicapped preschool children are not receiving special services.

There are only one million spaces in licensed day care homes and centers to serve the six million preschool children whose mothers are working.

PROPOSED SERVICES

The bill authorizes funding for local communities and parent organizations to choose among a wide variety of child and family services, including: prenatal health care; medical treatment to detect and remedy handicaps; nutrition assistance; and day care services for children of working mothers. The bill does *not* provide for compulsory preschool education.

PARENT CONTROL

Participation in all programs is totally voluntary, and limited to children whose parents request services.

All programs would be selected, established and controlled by parents whose children participate.

FAMILY STRENGTHENING

The bill states that "the family is the primary and most fundamental influence on children" and that "child and family service

programs must build upon and strengthen the role of the family".

The bill has been specifically endorsed as family strengthening by a wide range of civic and religious organizations including the Catholic Church, the Baptist Church, the United Methodist Church and the Lutheran Church.

CHILD AND FAMILY SERVICES ACT OF 1975— S. 626

SECTION-BY-SECTION ANALYSIS

Section 1

Section 2

Statement of Findings and Purpose.—Finds that "the family is the primary and most fundamental influence on children; that child and family services must build upon and strengthen the role of the family and must be provided on a voluntary basis only to children whose parents request them" with priority for preschool children with the greatest economic and human need; that there is a lack of adequate child and family services; and that there is a necessity for planning and operation of programs as partnership of parents, community, state and local governments, with appropriate federal supportive assistance.

Purpose is to "provide a variety of quality child and family services in order to assist parents who request such services, with priority to those preschool children and families with the greatest economic or human needs, in a manner designed to strengthen family life and to insure decision-making at the community level" and provide decision-making with direct parent participation through a partnership of parents, State, local and Federal government.

Section 3

Authorization of Appropriations.—Authorizes \$150 million for fiscal 1976 and \$200 million for FY 1977 for training, planning, and technical assistance and \$500 million in FY 1977 and \$1 billion in FY 1978 for program operation. Headstart would be funded under separate authority, and its funding protected by a requirement that no operational funds could be appropriated for this new program unless and until Headstart is funded at the level it received in FY 1975 or FY 1976, whichever is higher.

Forward funding is authorized.

TITLE I—CHILD AND FAMILY SERVICES PROGRAMS

Section 101

Establishes Office of Child and Family Services in HEW to assume the responsibilities of the Office of Child Development and serve as principal agency for administration of this Act; and Child and Family Services Coordinating Council with representatives from various federal agencies to assure coordination of federal programs in the field.

Section 102

Financial Assistance.—Define purposes for which federal funds can be used: (1) plan-

ning and developing programs, (2) establishing, maintaining, and operating programs, including part-day or full-day child care in the home, in group homes, or in other child care facilities; other specially designed programs such as after-school programs; family services, including in-home and in-school services; information and referral services to aid families in selecting child and family services; prenatal care; programs to meet special needs of minorities, Indians, migrants and bilingual children; food and nutrition services; diagnosis of handicaps or barriers to full participation in child and family services programs; special services for handicapped children within regular programs; programs to extend child and family service gains, including parent participation, into the elementary schools; (3) rental, renovation, acquisition, or construction of facilities, including mobile facilities; (4) pre-service and inservice training; (5) staff and administrative expenses of councils and committees required by the Act; and (6) dissemination of information to families.

Section 103

Allocation of Funds.—Reserves funds proportionately for migrant and Indian children, not less than 10% for services to handicapped children, and not less than 5% for monitoring and enforcement of standards.

Allocates the remainder among the states and within the states, 50% according to relative number of economically disadvantaged children, 25% according to relative number of children through age five, and 25% according to relative number of children of working mothers and single parents.

Allows use of up to 5% of a state's allocation for special state programs under Section 108.

Section 104

Prime Sponsors.—States, localities, combinations of localities or public and nonprofit organizations are eligible to serve as prime sponsors.

The bills current provisions establish performance criteria for prime sponsor; demonstrated interest in and capability of running comprehensive programs, including coordination of all services for children within the prime sponsorship area; assurances of non-federal share; establishment of a Child and Family Services Council (CFSC) to administer and coordinate programs.

Public or private nonprofit organizations can serve as prime sponsors with priority on governmental units. Any locality or combination of localities which submits an application meeting the performance criteria may be designated prime sponsor if the Secretary determines it has the capacity to carry out comprehensive and effective programs. The state may be designated prime sponsor for all areas where local prime sponsors do not apply or cannot meet the performance criteria, provided that the state meets the performance criteria and divides its area of jurisdiction into local service areas with local child and family services councils which approve the relevant portions of the state's

plan and contracts for operation of programs within the local service areas.

The Secretary may fund directly an Indian tribe to carry out programs on a reservation. He may also fund public or private nonprofit agencies to operate migrant programs, model programs, or programs where no prime sponsor has been designated or where a designated prime sponsor is not meeting certain needs.

Directs the Secretary to designate an alternative to any prime sponsor discriminating against minority group children or economically disadvantaged children.

Provides opportunity for Governor to comment on prime sponsorship applications and provides appeal procedure for applicants who are disapproved.

The sponsors want to particularly emphasize that as the bill is considered they intend to invite the testimony of representatives of Federal, State, and local government, as well as other experts, with respect to the best allocation of responsibility among various levels of government which will insure parental involvement, local diversity to meet local needs and appropriate State involvement to assure coordination and maximum utilization of available resources.

Section 105

Child and Family Service Councils.—Sets forth composition, method of selection, and functions of councils. Half of members must be parents, selected by parents of children served by programs under the Act. The remaining members appointed by the prime sponsor in consultation with parent members, to be broadly representative of the general public, including representatives of private agencies in the prime sponsorship area operating programs of child and family services and at least one specialist in child and family services. At least one-third of the total council to be economically disadvantaged.

A state prime sponsor must establish councils at the state level and for each local service area. Parent members of the state council to be selected by parent members of local councils.

Council approves goals, policies, action and procedures of prime sponsors, including planning, personnel, budgeting, funding of projects, and monitoring and evaluation.

Section 106

Child and Family Service Plans.—Requires that prime sponsor submit plan before receiving funds. Plan must "provide that programs or services under this title shall be provided only for children whose parents request them"; identify needs and purposes for which funds will be used; give priority to children who have not reached six years of age; reserve 65 percent of the funds for economically disadvantaged children, and priority thereafter to children of single parents and working mothers; provide free services for children of families below the Bureau of Labor Statistics lower living standards budget and establish a sliding fee schedule based on ability to pay for families above

that income level; include to the extent feasible, children from a range of socioeconomic backgrounds; meet the special needs of minority group, migrant, and bilingual children; provide for direct parent participation in programs, including employment of parents and others from the community with opportunity for career advancement; establish procedures for approval of project applications with priority consideration for on-going programs and applications submitted by public and private non-profit organizations; provide for coordination with other prime sponsors and with other child care and related programs in the area; provide for monitoring and evaluation to assure programs meet federal standards; where possible, supplement funds provided by this Act with assistance from other sources.

Requires that the Governor, all local education agencies, Headstart and community action agencies have the opportunity to comment on the plan.

Establishes appeal procedures if plans are disapproved.

Section 107

Project Applications.—Provides for grants from prime sponsor to public or private organizations to carry out programs under the prime sponsor plan pursuant to a project application approved by the CSFC.

The project applicant must establish a parent policy committee (PPC), composed of at least 10 members with 50% parents of children served by the project, at least one child care specialist, and other representatives of the community approved by the parent members. The PPC must participate in the development of project applications and must approve basic goals, policies, action and procedures of the applicant, including personnel, budgeting, location of center, and evaluation of projects.

The application must: provide for training and administrative expenses of the PPC; guarantee free services for economically disadvantaged children with fees according to the fee schedule for other children; assure direct participation of parents and other family members, including employment opportunities; provide for dissemination of information on the project to parents and the community; and provide opportunities for the participation of children, regardless of participation in nonpublic school programs.

Section 108

Special Grants to States.—Authorizes special grants to the states, on approval of Secretary, to establish a child and family services information program to assess goals and needs in state; to coordinate all state child care and related services; to develop and enforce state licensing codes for child care facilities; and to assist public and private agencies in acquiring or improving such facilities. A state must establish a Child and Family Services Council to receive a special grant.

Section 109

Additional Conditions for Programs Including Construction or Acquisition.—Allows federal funding for construction or acquisition

only where no alternatives are practicable, and provides federal funding for alternation, remodeling, and renovation. Provides that no more than 15% of a prime sponsor's funds may be used for construction; that no more than half of that may be in the form of grants rather than loans, limited to public and private non-profit agencies, organizations, and institutions.

Section 110

Use of Public Facilities for Child and Family Service Programs.—Requires that federal government and prime sponsors make available for child and family service programs facilities they own or lease, when they are not fully utilized for their usual purposes.

Section 111

Payments.—Provides 100% federal share for planning in FY 1976, 90% federal share for fiscal 1977 and 1978, 80% for subsequent fiscal years. Provides 100% federal share for programs for migrants and Indians, and allows waiver of part of all of non-federal share where necessary to meet needs of economically disadvantage children.

Non-federal share may be in cash or in kind. Revenues generated by fees may not be used as non-federal share but must be used by prime sponsor to expand programs.

PART II—STANDARDS, ENFORCEMENT, AND EVALUATION

Section 201

Federal Standards for Child Care.—Authorizes a national committee on federal standards, with one-half parent participation, to establish standards for all child care services programs funded by this or any other federal act. The 1968 Interagency Day Care Requirements would continue to apply until such standards are promulgated, and any new standards must be consistent with the 1968 Requirements.

The Secretary must submit the proposed standards for approval to the Senate Committee on Labor and Public Welfare and the House Committee on Education and Labor. No prime sponsor or project applicant is allowed to reduce services below these standards.

Section 202

Development of Uniform Code for Facilities.—Requires a committee to develop a uniform minimum code dealing with health and safety of children and applicable to all facilities funded by this Act.

Section 203

Program Monitoring and Enforcement.—Requires the Secretary through The Office of Child and Family Services, to establish an adequately trained staff to periodically monitor programs to assure compliance with the child care standards and other requirements of the Act.

Section 204

Withholding of Grants.—Provides procedure for withholding of funds to programs which have failed to comply with standards or requirements of the Act.

Section 205

Criteria With Respect to Fee Schedule.—Requires Secretary to establish criteria for adoption of the schedule based on family size and ability to pay with considerations for regional differences of the cost of living. The criteria must be submitted for approval by the Senate Committee on Labor and Public Welfare and the House Committee on Education and Labor.

Section 206

Evaluation.—Requires the Secretary to make annual evaluations and report to Congress on federal child family services activities.

TITLE III—RESEARCH AND DEMONSTRATIONS

Section 301

Research and Demonstration.—Authorizes child and family services research and requires that the Office of Child and Family Services coordinate research by federal agencies.

TITLE IV—TRAINING OF PERSONNEL FOR CHILD AND FAMILY SERVICES

Section 401

Preservice and Inservice Training.—Provides for training of personnel, including volunteers, employed in programs assisted under this Act.

Section 402

Technical Assistance and Planning.—Provides technical assistance to child and family services programs.

TITLE V—GENERAL PROVISIONS

Section 501

Definitions.—Defines terms used in the Act.

Section 502

Nutrition Services.—Requires that procedures be established to assure adequate nutrition services in programs under the Act, including use of Section 13 (special food service programs) of the School Lunch Act and the Child Nutrition Act.

Section 503

Special Provisions.—Anti-discrimination provisions, including separate provisions on sex discrimination. Requires that programs meet the minimum wage. Prohibits use of funds for constructing, operating or maintaining facilities for sectarian instruction of religious workshop.

Section 504

Special Prohibitions and Protections.—States that "Nothing in this Act shall be construed or applied in such a manner as to infringe upon or usurp the moral and legal rights and responsibilities of parents or guardians with respect to the moral, mental, emotional, physical, or other development of their children. Nor shall any section of this Act be construed or applied in such a manner as to permit any invasion of privacy otherwise protected by law, or to abridge any legal remedies for any such invasion which are otherwise provided by law."

Section 505

Public Information.—Requires that all applications, plans, and written material pertaining thereto be made available to the public without charge.

Section 506

Repeal or Amendment of Existing Authority and Coordination.

Section 507

Acceptance of Funds.

INTERRELIGIOUS STATEMENT ON THE CHILD AND FAMILY SERVICES BILL

In December of 1971 both the House and the Senate passed the Comprehensive Child Development Act of 1971. Supported by a coalition of poverty and civil rights groups, labor unions, women's groups, churches, educators, and community and citizens organizations, the bill would have amended Title V of the Economic Opportunity Act "to provide every child (through age 14) with a fair and full opportunity to reach his full potential by establishing and expanding comprehensive child development programs." This bill was vetoed by President Nixon.

In February of 1975, Sen. Mondale (D-Minn.) introduced a very similar bill, S. 626, The Child and Family Services Act of 1975. Rep. Brademas (D-Ind.) introduced a companion bill (H.R. 2966) in the House. This bill would establish programs of part-day and full-day child care, prenatal care, special services for minority group children, food and nutrition programs, aid for handicapped children, and various types of assistance to families with special needs.

The Child and Family Services Act is now under attack by groups and individuals charging that it would give government undue authority over family life. In fact, some groups have charged that the proposed legislation would make the "government responsible for . . . the religious interests of your child," give "children the right to protection from any excessive claims made on them by their parents," and make preschool education "compulsory" for all children beginning at age three.

These charges are totally inaccurate. There is nothing in this legislation that relates to religious preferences or religious instruction; nothing that relates to or alters the existing legal relationship between parents and their children; and nothing that provides for compulsory preschool education, or for compulsory service of any kind.

What it seeks to do, instead, is to strengthen and support families in their efforts to provide their children—on a totally voluntary basis—with the basic health education and other services they want for them but too often cannot afford. Thus, it authorizes funding for a variety of child and family services including prenatal health care, medical treatment to detect and remedy handicapping conditions, and day care services for children of working parents.

Most importantly, any and all of these programs are totally voluntary, and limited

to children whose parents request the services. Parent control is further assured by requirements that all programs would be selected, established and controlled by parents whose children participate in them.

A careful reading of the bill reveals that it will support families, not weaken them. The bill states, for example, that the "family is the primary and most fundamental influence on children" and that "child and family service programs must build upon and strengthen the role of the family."

The need for legislation of this kind is clear. The infant mortality rate in the United States is higher than that of thirteen other nations. Each year an estimated 200,000 children are struck by handicaps which could have been prevented if their mothers had received early health care. Forty percent of the young children of this country are not fully immunized against childhood diseases. Sixty-five percent of all handicapped preschool children are not receiving special services. There are only one million spaces in licensed day care homes and centers to serve the six million preschool children whose parents are working.

Debate over legislative proposals such as this Child and Family Services Act should be based on the facts, and decided on the merits. To do otherwise—to misrepresent the purpose and provisions of the legislation under discussion—is a disservice to all Americans concerned about families and children.

American Jewish Committee, Ms. Anne Wolfe, Director, Social Welfare.

Christian Church (Disciples of Christ), Disciples Peace Fellowship.

Christian Church (Disciples of Christ), Department of Church in Society, Division of Homeland Ministries.

Church of the Brethren, Washington Office.

Friends Committee on National Legislation.

National Conference of Catholic Charities.

National Council of Churches.

Lutheran Children's and Family Services, St. Louis, Missouri.

National Council of Jewish Women, Mrs. Esther R. Landa, National President.

Network.

Synagogue Council of America.

United Church of Christ, Center for Social Action.

United Methodist Church, Women's Division, Board of Global Ministries.

United Presbyterian Church, U.S.A., Washington Office.

MEMORANDUM: ATTACKS ON CHILD AND FAMILY SERVICES BILL

1. Unsigned Flyers entitled: "Raising Children—Government's or Parents Right?"

ATTACK

"There is before Congress legislation known as the Child and Family Services Act of 1975 (Senate: S. 626 and House: H.R. 2966). If passed it would take the responsibility of the parents to raise their children and give it to the Government."

FACT

This bill would in no way take the responsibility for child rearing away from parents. All programs authorized in the bill (S. 626 and H.R. 2966, Section 2(a)(2)) "must build upon and strengthen the role of the family and must be provided on a voluntary basis only to children whose parents or guardians request such services." In addition, any practice which would "infringe or usurp the moral and legal responsibilities of parents or guardians" is specifically prohibited (Section 504(a)).

ATTACK

"*Child Advocacy Clause.* In the Congressional Record we read: 'If, in the judgement of those who are in charge of such a program (the State by way of the Secretary of Health, Education and Welfare), parents are not doing a good job, the advocate (a "specialist" appointed by the government) would enter the home and direct the education, even within the home. And, if the parent would object, the authority in the home would, DeFacto, be transferred to these advocated (sic).'"

FACT

While this material may have appeared in the Congressional Record (although an exhaustive Record search has failed to discover it), it is categorically false to contend that: (a) such language appears in S. 626 or H.R. 2966; (b) such beliefs are held or advocated by any of the sponsors of S. 626 or H.R. 2966; or (c) that any "child Advocacy clause" of any kind appears in the bill (See "Special Note on the Congressional Record" below).

ATTACK

"Charter of Children's Rights of the National Council of Civil Liberties is becoming a part of this Child Development Act."

The flyers go on to list the following items in this charter, alleging that they can "be found on page 44138 of the Congressional Record":

"(1) All Children have the right of protection from, and compensation for the consequences of any inadequacies in their homes and backgrounds. (Note: In other words, never punish your child because he may come back to you with a civil suit.)"

"(2) Children have the right to protection from any excessive claims made on them by their parents or authority. The question was asked, by way of example, what do you mean by the fact 'Excessive claim', and the example was given, 'If the mother or father asked the child to take the garbage out and the child doesn't want to, the parents have no right to insist on it.'"

"(3) Children have the right to freedom from religious or political indoctrination. That means that you have no right to insist on taking them to church, if they do not wish to go. That also means they have the freedom to insist that they be taught nothing, or any ideas, about God."

"(4) Children shall have the freedom to make complaints about teachers, parents and others without fear of reprisals. This speaks for itself."

FACT

No such language or "charter" has ever been proposed, included or even considered for the Child and Family Services Act or any related piece of legislation. This "charter" initially surfaced during Senate debate on December 2, 1971 on the Conference Report on the Office of Economic Opportunity Act, which included child care provisions. Senator Carl T. Curtis (R-Nebraska), an opponent of this measure, said, "In England, child development advocates have gone so far as to draft a charter of children's rights." Curtis continued by reading from something he called the Charter of Children's Rights" of "the British Advisory Center of Education and the National Council for Civil Liberties." Thus, these so-called "rights", never included in this legislation, and were never advocated by sponsors of this legislation. In fact, the "Council" cited is not even an American organization. (See "Special Note on the Congressional Record" below).

S. 626 and H.R. 2966 specifically state in Section 504(a) that "Nothing in this Act shall be construed or applied in such a manner as to infringe upon or usurp the moral and legal rights and responsibilities of parents or guardians with respect to the moral, mental, emotional, physical, or other development of their children. Nor shall any section of this Act be construed or applied in such a manner as to permit any invasion of privacy otherwise protected by law, or to abridge any legal remedies for any such invasion which are otherwise provided by law."

ATTACK

"Can the Government Take Away Your Children? Comprehensive child development, the SOVIET-style system of communal child rearing which almost became law in this country in 1971 is once again being pushed through Congress. The current bills H.R. 2966 (House of Representatives) S. 626 (Senate), are virtually identical to the original act passed in 1971, but fortunately vetoed by the then president, Nixon. Now it is known as the Child and Family Services Act of 1975 and any changes are merely cosmetic."

"In vetoing the original bill which would have removed children from their parent's instruction shortly after birth, Mr. Nixon said that it would weaken the American family by committing "vast moral authority of the national government to the side of communal approaches to child rearing over against the family oriented approach."

"We are in serious danger of 'Sovietizing' the education of our children if we let the Child and Family Services Act of 1975 pass. Those who support this Act in the Congress are convinced that it will 'Sail through the House.'"

FACT

This charge is of course, absurd and irresponsible. The sponsors of the bill have carefully drafted it to protect the rights of parents and their children:

First, participation in the program is completely voluntary. Children cannot participate without the specific request of a parent

or legal guardian. (Section 2(a)(2) and Section 106(b)(1))

Second, the bill prohibits any practice which would "infringe upon or usurp the moral and legal rights and responsibilities of parents or guardians." (Section 504(a))

Third, a child cannot be tested unless the parent or guardian is informed and given the opportunity to exempt the child from testing. (Section 504(a))

Fourth, unlike the public school program, the child and family services programs are totally voluntary.

ATTACK

"According to the Congressional Record, the intent of the bill is for the government to be responsible . . . for the nutritional interests of your child, for all psychological interests of your child."

FACT

This statement is totally inaccurate and irrelevant to the legislation.

The intent of the bill is (Section 2(b)) "to provide a variety of quality child and family services in order to assist parents who request such services, with priority to those preschool children and families with the greatest need, in a manner designed to strengthen family life and to insure decision-making at the community level, with direct participation of the parents of the children served and other individuals and organizations in the community interested in child and family service (making the best possible use of public and private resources), through a partnership of parents, State and local government, and the Federal Government, building upon the experience and success of Headstart and other existing programs." (See "Special Note on the Congressional Record" below).

In fact, the bill specifically prohibits any medical or psychological examination or treatment unless a child's parent or guardian provides written permission. (Section 504(c)).

ATTACK

"The following excerpts are taken from the Congressional Record: 'What is at issue is whether the parent shall continue to have the right to form the character of the children or whether the state, with all its power and magnitude, shall be given the decisive tools and technique for forming the young lives of the children of this country.'"

"As a matter of the child's right, the government shall exert control over the family because we have recognized that the child is not the care of the parents, but the care of the state (sic). We recognize further that not parental, but communal forms of upbringing have an unquestionable superiority over all other forms. Furthermore, there is serious question that maybe we cannot trust the family to prepare young children in this country for this new kind of world which is emerging."

"This all smells of Communism. This is what in fact has been and is being done in Soviet Russia. This is what can become the law of our land, if the Child and Family

Service Act of 1975 is passed by the Congress. We elected this Congress, but do we know what they are attempting to do to our freedoms and our rights?"

FACT

These citations, if they did in fact appear in the Congressional Record, are diametrically opposed to the purpose and intent of the bill.

First, the programs are completely voluntary. (Section 2(a)(2) and Section 106(b)(1))

Second, the precisely stated purpose of the legislation is to "strengthen family life," not weaken it. (Section 2(b))

Third, the program is to be operated locally, not by the national government. (Section 104)

Fourth, the bill contains specific prohibitions against any practice infringing on the rights and responsibilities of parents. Section 504(a))

(See "Special Note on the Congressional Record" below).

SPECIAL NOTE ON THE CONGRESSIONAL RECORD

Throughout this leaflet, the "Congressional Record" is cited. The Congressional Record has the ring of an official pronouncement to it. But, anyone who has ever even glanced at the Record knows that it contains not only the debates in the House of Representatives and Senate but also speeches and material simply "inserted" into the Record. Any Member of Congress has the right to insert material in the Record, and therefore, the assertion that a statement is "according to the Congressional Record" is meaningless since the Record itself makes no statement of policy. Policy statements are made by the Members of Congress quoted in the Record.

This flyer provides a good example of the abuse of the citation of the Congressional Record. Senator Curtis of Nebraska included as part of his remarks on a bill considered by Congress in 1971 some material which he attributed to an organization in a foreign country. By misleading citation, the flyer implies that this material appeared in the Congressional Record this year and that it represents the contents of the bill. The bill's sponsors had never before seen this material.

[Articles from the Houston (Tex.) Chronicle, Nov. 7, and 9, 1975]

OFFICIAL, MAILS MISLEADING LETTER TO AREA SCHOOL HEADS

(By Richard Fly)

An unsigned and apparently inaccurate letter encouraging opposition to family service legislation pending in Congress has been distributed to area school superintendents by the director of the Houston area regional office of the Texas Education Agency.

The letter, which apparently originated in Kansas, was mailed to superintendents Oct. 27 by T. S. Hancock, director of the Region IV Education Service Center in Houston.

Hancock attached a note to the letter stating, "I urge that you take the time to read

the attached information. I believe it has frightening implications to our American way of life."

Hancock said Thursday he did not read the legislation, or check the letter's accuracy before sending it to the school administrators.

At least one of the superintendents, Dr. C. Lee Meyer of the Pasadena school district, passed the letter on to his district's personnel.

Meyer said he also did not check the accuracy of the letter before passing it along.

The letter's statements purportedly refer to the Child and Family Service Act of 1975, introduced in the House and Senate Feb. 7.

Phil Moseley, press aide to U.S. Rep. Bill Archer, R-Houston, said that after receiving numerous inquiries about the anonymous letter, he researched the statements contained in it.

Three-fourths of those statements were excerpted from congressional debate on a bill of the same title in 1971, Moseley said.

However, Moseley said, most of the statements are taken out of context and presented in such a way as to distort their meaning.

The letter was brought to the attention of the TEA's regional office by a Galveston County school official who heard about it on a broadcast by KTRH radio personality Dewey Compton.

Compton said Thursday he originally broadcast information about the letter and legislation Oct. 14. Since then, he said Moseley "dug into the letter's content and found much of it to be fraudulent."

He said that Thursday morning he retracted his radio statements on the letter, which he said came from Kansas.

"It's a mess," Compton said. "It looks like a lot of us are victims of a fraud or a conspiracy."

He said it was regrettable that he did not check the letter and verify it before reading it on the air.

TEA's Hancock said he talked with Moseley, who would provide him with information on the letter's contents and the provisions of the family service act. Hancock said he would pass that information to the superintendents.

He said the statements in the letter considerably alarmed him, and on that basis he informed school district administrators of the legislation.

He said that since he talked with Moseley about the letter's questionable contents, "I'm not as concerned now (about the bill) as I was."

But Hancock said, "I'm still concerned that something like this might come out of Congress. Guidelines for the enforcement of such bills sometimes are rather drastic."

Meyer, of Pasadena, said, "All I did was pass along the information I received from the regional service center."

He said he would read the bill, which he received Thursday afternoon, and that if any corrections need to be made concerning the letter, he will inform the district personnel.

Moseley pointed to several inaccuracies or distortions in the letter.

One part of the letter mentioned a "Charter of Children's Rights" proposed items in this charter were:

"All children have the right of protection from and compensation for the consequences of any inadequacies in their homes and backgrounds."

"Children have the right to protection, from any excessive claims made on them by their parents or authority."

"Children shall have the freedom to make complaints about teachers, parents and others without fear of reprisals."

The charter was referred to by Sen. Carl T. Curtis, R-Neb., during debate on Dec. 2, 1971, as an example of how far the legislation could go in its interpretation. The charter, Curtis said, was recommended in England by an education advisory commission and was the product of the English National Council of Civil Liberties.

The letter did not mention that the charter originated in England and was not planned for inclusion in Congress's legislation.

In addition, Moseley said, three paragraphs at the end of the letter, purportedly from the Congressional Record, actually are a compilation of statements from debate on the legislation, an unrelated article on education and child raising in the Soviet Union and other material apparently added by the letter's unknown author.

One sentence from this portion of the letter said:

"As a matter of the child's right, the government shall exert control over the family because we have recognized that the child is not the care of the parents by the care of the state."

One sentence from this portion of the letter said:

"As a matter of the child's right, the government shall exert control over the family because we have recognized that the child is not the care of the parents but the care of the state."

That sentence is from the article on the Soviet Union.

Moseley said Archer's office is getting a large amount of mail from school superintendents, principals, teachers and parents in the Houston area.

"Some are saying, 'This can't be true. You've got to stop the legislation.' Others are saying, 'It isn't true, is it?'" Moseley said.

The Child and Family Services Act now pending in Congress states, in part, "The family is the primary and the most fundamental influence on children, child and family service programs must build upon and strengthen the role of the family and must be provided on a voluntary basis only to children whose parents or legal guardians request such services."

Hearings on the legislation ended in the House Subcommittee on Education July 16. A full committee vote has not been taken. It appeared that action on the bill would not be taken this year.

HOW "RIGHTS" LETTER CAME TO HOUSTON

(By Richard Fly)

An anonymous letter warned that a bill pending in Congress would destroy the American family.

The letter made its way from a revival meeting in Missouri to a compost and feed company in Kansas and from there to a Beeville merchant and thence to a Houston radio station. It ended up in offices of more than 50 school superintendents in the Houston area.

In the fashion of a chain letter, the unsigned epistle was copied, passed along and copied again as people reacted with alarm to the claims in the letter that the Child and Family Service Act of 1975 would destroy family structure and make children wards of the state.

The actual legislation bears little resemblance to the bill described in the letter. But few of the letter's recipients questioned whether it was true before passing the letter along.

The letter arrived in Houston about four weeks ago. It was first publicized by KTRH radio personality Dewey Compton, who read the letter on his program and asked listeners to write their congressmen opposing the bill.

Compton said his office distributed about 200 copies of the letter at the request of listeners.

One of those listeners was a Galveston County school administrator, who passed the letter along to the Region IV Education Service Center, an office of the Texas Education Agency, in Houston.

The center's director, T. S. Hancock, was alarmed by the letter, he said, and sent it to the more than 50 school district superintendents in the region.

In a note attached to the letter, he said: "I urge that you take the time to read the attached information. I believe it has frightening implications to our American way of life."

At least one superintendent, Dr. C. Lee Meyer of the Pasadena school district then passed the letter along to the district's personnel.

The majority of the statements in the letter are excerpted from the Congressional Record, a daily chronicle of proceedings in Congress.

However, Phil Moseley, a press aide to U.S. Rep. Bill Archer of Houston, researched the contents of the letter. He said most of the statements are taken out of context and tied together in such a way as to distort their meaning.

The statements are taken from the record of debate on Dec. 2, 1971. At that time, Congress was debating a similar, but stronger, bill than the one now before them.

Moseley pointed to several inaccuracies and distortions in the letter.

One part of the letter mentioned a "Charter of Children's Rights." Proposed items in this charter were:

"All children have the right of protection from and compensation for the consequence

of any inadequacies in their homes and back-grounds."

"Children have the right to protection from any excessive claims made on them by their parents or authority."

"Children shall have the freedom to make complaints about teachers, parents and others without fear of reprisals."

The charter was referred to by Sen. Carl T. Curtis, R-Neb., during debate on Dec. 2, 1971, as an example of how far the legislation could go in its interpretation. The charter, Curtis said, was recommended in England by an education advisory commission and was the product of the English National Council of Civil Liberties.

The letter did not mention that the "charter" originated in England among a group of Socialists, was not part of English law and was not planned for inclusion in Congress' legislation.

In addition, Moseley said, three paragraphs as the end of the letter, purportedly from the Congressional Record, actually are a compilation of statements from debate on the legislation, an unrelated article on education and child raising in the Soviet Union and other material apparently added by the letter's unknown author.

One sentence from this portion of the letter said:

"As a matter of the child's right, the government shall exert control over the family because we have recognized that the child is not the care of the parents but the care of the state."

That sentence is from the article on the Soviet Union.

How the letter made its way from Kansas to Houston is a saga of happenstances.

Hancock, of the Region IV center, received a copy of the letter from an assistant, Tom Pate. Pate received the letter from Dr. Henry Willis, assistant superintendent of the Santa Fe school district in Galveston County, who received a copy from Compton.

Compton received his copy from Jack Megason, a Beeville resident whose agricultural products business is a sponsor of Compton's radio program. Megason received the letter from George Seacat, a compost retailer in Ashland, Kan., who received it from a friend.

Seacat's friend picked up the letter in the Dodge City Office Supply Co., Dodge City, Kan.

The letters arrived in the store from an unknown source, the company's manager said.

Here there is a gap which picks back up at Radio Station in KMAN in Manhattan, Kan.

The press director of the Kansas Farm Bureau, a conservative lobby group, based one of his KMAN radio programs on the family service legislation. He interviewed a farmer, Richard Bayshor, who had heard a broadcast on Radio Station KFRM in Wichita, Kan., opposing the bill and referring to statements made in the letter.

KFRM did its broadcast on the basis of a note to the editor clipped from the Salina, Kan., Journal.

The note, written by David and Karen Smith, was based on the letter.

Smith received the letter from Richard Burson, retired director of the Kansas Bible Camp near Hutchinson.

Burson was the source of the letter which reached Houston and many other parts of the country.

"I only put out a thousand of them," Burson said, "and I'm surprised how far they've scattered."

He said he compiled his one-page letter from a three-page pamphlet he received from his brother-in-law's sister. She received the pamphlet at a revival in Missouri.

He rewrote the letter to make it shorter and tone down the "screaming" language, Burson said.

Burson's letter appears to be the one which has circulated the farthest and had the largest effect.

He said he stopped distributing the letter about a week after he started. He did so, he said, because he found out the letter was misleading.

"I think that many people who read this and seem to think that the Congressional Record account that is presented is the bill. But it isn't the bill. It is simply a discussion of the bill by people who were opposed to it," he said.

He also said people would be led to believe the statements in the letter referred to the 1975 bill. Actually, he said, it refers to the 1971 legislation.

Burson said he is "sort of sorry" he distributed the letter, because he has since received better information about the bill from Sen. Robert Dole, R-Kan., which he plans to distribute.

But the effects of the letter cannot so easily be dispersed.

Congressmen are receiving a large number of letters and phone calls about the legislation.

Hearings on the bill in the House subcommittee on education ended July 16. No action has been taken on it, so it appears doubtful that it will get out of committee before the end of the year.

But the letters keep coming.

[From the Houston Chronicle, Nov. 9, 1975]
WHAT THE CHILD AND FAMILY PLAN REALLY
WOULD PROVIDE

(By Judy Wiessler)

WASHINGTON.—Until a few weeks ago, the Child and Family Services Act of 1975 was just another of the hundreds of bills with popular sounding titles and steep price tags languishing in congressional subcommittees.

Then, with a speed and intensity that neither congressional opponents nor proponents profess to fully understand, the bill became the subject of torrents of mail to members of Congress. Most of it was negative and based on false impressions of what the legislators would do.

Sponsored by Sen. Walter F. Mondale, D-Minn., and John Brademas, D-Ind., the bill is controversial in its own right.

But not because it would take children away from their parents, put them in communes, allow them to organize labor unions or sue their parents if they were forced to go to Sunday school or mow the lawn.

Such allegations, circulated broadly and anonymously, are seen by both sides as a threat to the prospect of serious debate on the real issue of whether the federal government should invest millions of dollars in a broad, new social program.

Even opponents of the bill, like Rep. Bob Casey, D-Houston, are uncomfortable with some of the propaganda. Casey is against the bill because he thinks "it costs too much and the federal government shouldn't be setting up day care centers across the country," an aide said. But he added that many constituents are writing letters based on information that is "inflammatory and completely false."

What the bill actually proposes is expenditure of \$150 million next year, increasing to \$1 billion in 1978, for a wide range of programs, including day care and health services, for children and, in some cases, their parents.

Priority would be given to services for children under 6, to needy families, families with working mothers and minorities.

Although the programs would be mostly funded by the federal government, they would be operated on the local level by governing boards on which parents of participating children could make up at least half the membership.

Children would not be allowed to participate in any of the program unless their parents or legal guardians specifically requested that they do so. The bill prohibits any practice which would "infringe upon or usurp the moral and legal responsibilities of parents or guardians."

Parental permission would be required for any research or experimentation or medical or psychological examination involving a child.

A very similar Mondale-Brademas bill was killed in 1971 when Congress failed to override a veto by then-President Richard Nixon, who called the earlier bill "family weakening."

However, sponsors have a list of more than 80 groups which they say have endorsed the measure as "family strengthening." Those include the National Parent-Teachers Association, National Educational Association, National Association of School Boards, AFL-CIO, American Association of University Women, Girl Scouts of America, Boys Clubs of America, Salvation Army and National Leagues of Cities.

Religious groups supporting the bill include the United Methodist Church, Baptist groups, Church of God, United Church of Christ, Episcopal Church, American Lutheran Church and B'nai B'rith.

The bill would establish a new Office of Child and Family Services within the Department of Health, Education and Welfare to coordinate the local programs.

Units of local government, such as cities and counties, would apply to HEW to become

"sponsors" of the programs and would set up the local governing boards with parent representatives.

The local boards would decide what kinds of programs are needed in their areas, choosing from a long list of the kinds of services authorized.

These include day care, educational programs before and after school and in the summer, family counseling, prenatal and post-partum medical care to mothers who cannot afford to pay, special help such as bilingual tutoring for minorities and migrants and activities geared to physically, mentally or emotionally handicapped children.

The bill requires that information be disseminated regularly to parents about available activities, that parents be consulted regularly on each child's development and that parents be allowed to "observe and participate in their children's activities."

Provisions of the bill have been sufficiently appealing to attract 29 cosponsors in the Senate and 94 in the House, including Reps. Barbara Jordan, D-Houston, and Henry B. Gonzalez, D-San Antonio.

But there is considerable skepticism, shared privately by some proponents, that the bill will become law unless it is scaled down dramatically.

Sponsors assume President Ford would veto such an expensive measure and acknowledge it could be difficult to muster the two-thirds vote necessary for an override, especially in the Senate.

[From the South Bend Tribune, Nov. 2, 1975]
BRADEMAS VICTIM OF POLITICAL "DIRTY TRICK"

(By Jack Colwell)

Congressman John Brademas has been the victim of a political "dirty trick" which apparently resulted in erroneous statements in a WSBT television and radio editorial about a bill Brademas is sponsoring.

The "dirty trick" involves distribution of an unsigned leaflet attacking the proposed Child and Family Services Act and containing false statements about the intent of the measure and "children's rights" which it allegedly would provide.

While the bill is controversial, it contains none of the "children's rights" sections quoted in the leaflet and also cited in the broadcast editorial and in newspaper editorials printed in Warsaw and Goshen.

Brademas said Saturday that the leaflets were being circulated in Northern Indiana in "a deliberate effort" to spread "false information" in tactics similar to those of Watergate fame.

"Never in my 17 years as a representative in Congress have I seen a more systematic, willful attempt to smear both me and my work in the House of Representatives," Brademas said.

Quotations in the leaflet about so-called "children's rights" to "make complaints about teachers, parents and others without fear of reprisals" appear nowhere in the bill.

Brademas said the quotations apparently were taken from a speech made in 1971 by Sen. Carl Curtis of Nebraska, who said at the time he was quoting from the "Charter of Children's Rights" of the "British Advisory Center of Education" and the "National Council for Civil Liberties."

None of the "rights" quoted in the leaflet and in the editorials appear in the bill he is sponsoring or were even contemplated in similar legislation in the past, Brademas said.

In several instances in the leaflet, there are references to something allegedly appearing in the Congressional Record, but it does not specify who put the statement in the Congressional Record or was quoted in the Congressional Record or when the statement was made or in what context.

Jack E. Douglas, station manager, said Saturday that the quotations to which Brademas has raised objections are being checked and that, "if there are inaccuracies, they will be corrected."

Douglas said he expects the matter to be a subject for the WSBT editorial next week.

The congressman said he has asked WSBT to "correct" erroneous impressions which may have resulted from the editorial.

One of the paragraphs in the broadcast editorial to which Brademas objected contained the comment: "And in their final stroke, the bill's authors suggest that 'The government shall exert control over the family because we have recognized that the child is not the care of the parents, but the care of the state.'"

No such language appears in the bill, Brademas noted.

In fact, a statement of "purpose" at the start of the measure says:

"Child and family service programs must build upon and strengthen the role of the family and must be provided on a voluntary basis only to children whose parents or legal guardians request such services . . ."

Brademas said allegations in the leaflet that the measure would permit children to sue their parents if they were punished or to organize into the equivalent of labor unions against their parents are "not only outrageous falsehoods—they are downright silly."

He said the Child and Family Services proposal is designed to provide day care services "so that working mothers and welfare mothers can be sure, while they are on the job or are looking for work, of adequate care for their children."

He said the bill would make available health services "to enable parents to get expert help in detecting physical and mental handicaps early in a child's life," Brademas added:

"I think it is significant that the bill my colleagues and I are sponsoring is supported by the AFL-CIO, the League of Women Voters, the American Bankers Association, the United Auto Workers, the United Methodist Church, the Baptist and Lutheran Churches,

the National Conference of Catholic Charities and many more similar organizations."

The congressman acknowledged there are also opponents of the bill and that he expects debate about its actual provisions.

[From the Grand Rapids Press, Nov. 11, 1975]

CHILD BILL FRAUD

Despite the risk of lending unearned credence to one of the most spacious and inflammatory leaflets to gain widespread distribution in the Grand Rapids area, comment must be made on a two-page publication entitled "Raising Children—Government's or Parent's Right?"

The material attacks U.S. House Bill 2966, commonly known as child and family services legislation. The proposal would expand a number of family services already provided to a limited number of persons. The proposal's stated purpose is to reduce infant mortality (the U.S. ranks 14th in this regard) and physical and mental impairments by authorizing prenatal and family health care assistance and to extend day care services beyond current Headstart programs.

Similar legislation was vetoed by President Nixon in 1971 largely on the basis of cost. At the time The Press found difficulty reconciling Mr. Nixon's demands that able persons on welfare must be made to work with his rejection of a bill which would have permitted day-care aid for a single parent who was forced to remain at home with young children.

The current legislation, similar in purpose to the 1971 bill, has been altered to meet previous criticism. First-year planning and operations would be scaled down considerably, funds would be authorized for personnel training and the bill, throughout, emphasizes and clarifies the voluntary nature of the program. Nothing in the bill makes participation mandatory, and much of the program would be directed by the parents.

The extent to which the federal government should involve itself in family services is a proper issue which can be debated responsibly. What is not responsible, however, is the distribution of emotional and patently false material which makes rational discussion all but impossible. It is the politics of fright.

The local situation is especially disturbing because the leaflet has been widely distributed in schools, churches and working places and has triggered hundreds of inquiries to Rep. Richard Vander Veen's office. It is also distressing to find that such obviously spurious information is taken seriously.

There are several elements in the two-page letter which should automatically raise doubts about its veracity. Nothing on the material identifies its source; that should be sufficient reason to discard any "fact" sheet. As proof of its allegations against the Child and Family Service Act, the letter quotes from the 1971 Congressional Record. The reference is not to the bill itself but to a speech by Sen. Carl Curtis of Nebraska who

equated the legislation to a "Charter of Children's Rights."

The "charter" had been advocated, unsuccessfully, by two parties in Britain and bears no relationship to the particulars in the proposed U.S. legislation. The Congressional Record is a repository for any variety of outrageous claptrap deemed worthwhile by a member of Congress. In this case Sen. Curtis used his privilege not wisely, not responsibly, but well enough, apparently, to suit his purposes.

Finally, the purported "facts" contained in the flyer are so outlandish and totally out of character for the bill's two respected sponsors—Rep. John Brademas of Indiana and Sen. Walter Mondale of Minnesota—that they should be discounted out of hand.

Those who have gone on record as supporting the intent of the legislation include the Salvation Army, the National Conference of Catholic Charities, eight national Baptist organizations, the National PTA and a dozen or so organizations representing handicapped persons.

Still, the concept of expanding federal aid to poor families with pre-school children must be debated intelligently. That cannot be done, however, when certain opponents to the bill deliberately obfuscate the issue with a layer of lies and emotions.

Rep. Garry Brown of Schoolcraft opposes the legislation but nevertheless felt moved to inform his constituents that the flyers, like those distributed in Grand Rapids, contained "false and misleading information."

Rep. Vander Veen, who said he will not decide how to vote on the bill until he sees its final form, has called the discrediting material "a deliberate attempt to mislead the public."

The congressman is much too kind. The flyer is a gross form of public deception which threatens to make legitimate debate on an important issue impossible. And unfortunately, those well-meaning persons who have innocently caused its dissemination have not advanced the cause of good government.

[From the South Bend Tribune,
Nov. 11, 1975]

CHILD AND FAMILY SERVICES

Despite the scurrilous nature of certain charges directed against the Child and Family Services Bill, sponsored in the Senate by Sen. Walter Mondale, D-Minn., and in the House by Rep. John Brademas, D-South Bend, a question of whether the bill merits passage remains.

We have read the bill itself, in addition to a malicious assigned flyer opposing it and other arguments pro and con.

We find no evidence that the bill would lead to the "sovietization" of the education of American children, whatever that might mean. On the contrary, the message explicitly makes provisions of the bill voluntary and provides for the participation of parents in its implementation.

Its authors clearly intend it as an attempt to strengthen the family while providing services not now available to parents and children in the lower end of the economic spectrum.

The measure would provide for health nutritional, educational and other services now available to some families but which many children who need them do not receive.

Day-care facilities, "other health, social, recreational and educational programs designed to meet the special needs of children and families," social services, prenatal and other services for expectant mothers, programs to help minority ethnic groups, food and nutritional services, help in countering medical and emotional disabilities—these are the sort of programs envisioned by the bill.

In common with much legislation intended to attack social problems, the cost would be high. The bill calls for initial appropriations of \$158 million in the fiscal year ending June 30, 1976 and \$200 million in the next fiscal year for "training, technical assistance, planning and such other activities" necessary to prepare for its implementation.

It further authorizes \$500 million in the fiscal year ending Sept. 30, 1977 and \$1 billion in the next fiscal year, subject to the appropriation for funds to carry out part A of the Headstart Follow Through Act. A portion of the funding would be on the state or local level.

Like most of the Great Society programs, including those which undeniably have worked successfully, the bill might in fact cost a great deal more than the preliminary figures indicate, once it was fully implemented.

How much of a burden to taxpayers it would become must be considered by Congress. The fiscal integrity of the United States is at stake, and new programs must be evaluated with that realization.

The Child and Family Services Bill contains some provisions that may be enacted in some form, eventually. Like national health, insurance, they may have to await a time when our economy is expanding healthily inflation is in check and our federal deficit has been brought under control.

Anyone seeing a copy of the flyer attacking the bill as "the Soviet-style system of communal child rearing" ought to treat it as any unsigned hate propaganda deserves to be treated. That, however, does not automatically mean that the measure should be voted into law at this time.

[From the Ann Arbor News, Nov. 16, 1975]

FAMILY SERVICES BILLS BEING MISREPRESENTED

One of the most time-consuming but worth-while tasks of a daily newspaper is seeking out the source of some of the irresponsible literature floating around and trying to mitigate its effects.

Recent letters to The News indicate that the Ann Arbor area is receiving some of the inflammatory leaflets that have circulated in other areas attacking House and Senate bills commonly known as child and family

services legislation. In some places the leaflets have carried the title "Raising Children—Government's or Parent's Right?"

The following paragraph is an example of the material in the leaflet, allegedly taken from House bill 2966:

"As a matter of the child's rights, the governments shall exert controls over the family because we have recognized that the child is not the care of their parents but the care of the State. We recognize further that not parental, but communal forms of upbringing have an unquestionable superiority over all other forms. Furthermore, there is a serious question that maybe we cannot trust the family to prepare young children for this new kind of world which is emerging."

That, of course, does not appear in the legislation. It is quoted from the 1971 Congressional Record, which unfortunately gives an aura of legitimacy to some of the greatest nonsense to come out of Washington. Members of Congress can fill it with speeches delivered to empty halls or with views they believe will enhance their standing with constituents. The quotation above came not from the legislation but from a speech by Senator Carl Curtis of Nebraska who equated the legislation to a "Charter of Children's Rights," which had been advocated, unsuccessfully, by two parties in Britain.

How anyone could compare that "charter" with the child and family services legislation is a mystery. The legislation, vetoed in an earlier version by President Nixon because of the cost, was introduced by Rep. John Brademas of Indiana and Sen. Walter Mondale of Minnesota. The intent of the bills has been endorsed by such groups as the Salvation Army, the National Conference of Catholic Charities, the national PTA and eight national Baptist organizations.

The revised legislation would expand a number of family services now existing and extend day care services beyond the Headstart program, and a goal would be reduced infant mortality. The bills have been modified substantially to reduce costs. The voluntary nature of the program is emphasized throughout contrary to what is being said in the anonymous leaflets being circulated in opposition to the legislation.

Such legislation is always subject to debate, but the debate should be based on facts and not on misinformation circulated as a scare tactic. It is difficult enough to determine the truth and even to understand some of the legislation being proposed in Lansing and Washington. It is total irresponsibility to misrepresent it.

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THE CHILD AND FAMILY SERVICES ACT OF 1975—S. 626

Mr. BARTLETT. Mr. President, the

Child and Family Services Act—S. 626—introduced by the distinguished senior Senator from Minnesota (Mr. MONDALE), has been maligned by scandal sheets from undisclosed sources which have totally misrepresented the contents of Senator MONDALE's legislation, and some of these are falsely attributed to me and/or to my office.

Those responsible for preparing and circulating these flyers have performed a great disservice to everyone interested in this legislation. The dissemination of anonymous, alarmist flyers in a nationwide rumor campaign is not the way to voice opposition to a measure before Congress. It is certainly not the way for conscientious citizens to educate themselves on the legislation and the legitimate issues involved.

Because the charges in these flyers are irrational, inaccurate, and misleading, I have attempted to put the proposed legislation in the proper light for consideration by our constituents.

However, I am opposed to S. 626. There are five primary reasons for my opposition to this legislation: First, that there is little demand from the people for this legislation, second, that it further escalates the involvement of the Federal Government in the lives of citizens, third, that it adds \$400 million per year to an already topheavy budget and bureaucracy, fourth, that it is designed in such a manner that it would take the administration of child care programs out of the hands of State agencies that are familiar with local problems and needs, fifth, that it creates unnecessary financial burdens for the States.

The majority of the people have not requested that the Federal Government initiate such a program. To intervene in an area where the public has not sought legislative assistance is the boldest presumption on the part of Congress of "higher knowledge" and is an all-too-often replayed sequence with which the people have become weary and overburdened.

In my own State of Oklahoma there has been almost no support for the legislation even prior to the controversy created by the distribution of the previously described "scandal sheets." The support has been almost too small to measure and has come primarily from sources that would benefit monetarily by the implementation of such a program.

There are numerous cases, both in the child welfare field and in other areas of our lives, where Federal standards have been designed for national application and have ended up not fitting anyone. These programs have been like going to the shoe store, and instead of having your own foot measured, you take the total of all sizes available, divide by the total number of pairs, and buy the result.

This legislation is very broad. The Department of Health, Education, and Welfare is directed to write the rules and regulations, to effect the purpose of the legislation—presumably to fit the needs of the average State, which, of course, does not exist.

We are all familiar with this concept and its practice as a time-saving device for Congress; however, we have all become increasingly aware of the misfit results of this type of authority.

This legislation requires that the Department would develop regulations in consultation with other Federal agencies as a special Committee on Federal Standards for Child Care without direction from Congress.

The State of Oklahoma has already had bitter experiences with this "approach." An example of this is title 20 of the Social Security Act under which regulations were promulgated by HEW concerning day care centers. The legislation was to benefit children attending day care centers and was intended to insure that all children would have an adequate and inexpensive facility to attend. The proposed regulations jeopardized day care by raising costs to the parent so high that they will be prohibited from placing their children in a center, encouraging some of these mothers to be welfare recipients.

The Child and Family Services Act will again establish another set of child care standards. It is confusing to have another layer of regulations in an area that has already become overcomplicated and counterproductive. This legislation further reduces the latitude within which the traditional providers of these services can operate, because they must come up with a "plan" of their own which meets the regulations established at the national level. Again, the State and local level must comply with directives that come from Washington rather than develop their own programs consistent with State priorities. The choices are limited and the individual becomes more dependent upon the Federal Government

for the operation of his or her daily life. Each State should write its own rules and regulations. It alone knows its needs, its resources, and its priorities. The initiative of each State contributes to the knowledge of all. Nothing is gained by denying such contributions.

The bill provides no assurances that the single State agencies, currently providing services, will be involved in the administration of this program. Experience with such programs at the State level has shown that the lack of unified administration causes numerous inefficiencies, wasting large amounts of money.

The bill also fails to recognize directly that most States have specific statutory authorities concerning these matters.

The final concern at the State level is the cost to the State. Many States simply no longer have the funds to match the Federal moneys proposed under this act.

States are slashing their budgets to reduce spending. The practice of the Federal Government mandating spending by State or local units of government on Federal programs inhibits the States from having the fiscal flexibility necessary to establish meaningful priorities to meet their needs.

The authorization sought for this act is \$1,850,000,000 to be phased in over a 3-year period. Initially, \$150 million is to be authorized for the first year and up to \$1 billion for the third year. The sponsors estimate of the actual cost of operating the programs proposed by this legislation is approximately \$400 million a year. I believe this latter figure is unrealistically low based on the intention of this program. The amount, whatever it would be, would be added to a budget which we have already expressed our intent to reduce. This type of program is inconsistent with our intent to restrict an already inflated budget.

It is difficult enough to reduce the cost of existing programs that have an established track record and credibility, much less to do so when Congress adds to an already extremely expensive program.

Mr. President, I yield the remainder of my time to the majority leader and suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Vermont, under the previous order, is recognized for 15 minutes.

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THE CHILD AND FAMILY SERVICES ACT OF 1975—S. 626

Mr. JAVITS. Mr. President, I am pleased to be identified with day care legislation, and as ranking minority member of the Labor and Public Welfare Committee, and chief cosponsor of S. 626, the Child and Family Services Act of 1975, I remain firm in my belief that services available to young children and their families are inadequate to meet the present need. The proposed legislation would fund a variety of quality child and family services, including, day care programs, part day and full day, parenthood education, and nutrition.

While I am a supporter of this legislation, I recognize that in previous sessions there has been much debate in the Congress, and that many issues still are not resolved. However, the recent barrage of mail which I have been receiving, and to which my colleagues have also been subjected, removes the basic issues from reality. Instead, specious and unfounded claims are seemingly accepted as truth by those who have received and circu-

lated an unsigned leaflet. This leaflet attributes and quotes a child advocacy clause which is nonexistent in the legislation. False allegations, inaccuracies, and distortions are the mainstays of this concerted effort to arouse the ire of the people. Regrettably too few can take the time and effort to investigate and challenge the issues of fact before adding their voices in criticism.

The proposed legislation recognizes and specifically provides that child care programs must be totally voluntary. Its purpose is to build upon and strengthen the role of the family as the primary and fundamental influence on the development of the child. Suggestions that child rearing authority would vest in the State, or that parents would be prohibited from providing religious training to their children, are clearly refuted by the endorsement of this legislation by religious organizations across the country.

Support for additional child and family services, and testimony concerning the increasing need as more women enter the labor force, has been repeated often in the many days of hearings held during the past year. An unfinished task remains to inform the people on the need for comprehensive services for the American family. As this is accomplished such campaigns based as we are experiencing, will not have a chance to gain currency.

[From the Congressional Record--Extension of Remarks, January 26, 1976]

CHILD AND FAMILY SERVICES ACT
OF 1975

HON. HAROLD E. FORD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, January 26, 1976

Mr. FORD of Tennessee. Mr. Speaker, I rise today to express my concern about the confusion many of the people in my district feel in regard to the Child and Family Services Act of 1975. It has come to my attention that a leaflet is circulating in Memphis, and, as I gather from my distinguished colleagues, in other communities across the Nation. This leaflet contains false information which has misled many people. It claims that the Child and Family Services Act would allow the Government to take over responsibility for childrearing. Those who support the bill know that there is no such provision in it. The Child and Family Services Act would in no way interfere in family life.

As a result of this confusion, I released a statement to the local press in my district which point by point denounces the claims of the leaflet and which also attempts to clarify some of the bill's major provisions. I would like to share this statement with you:

STATEMENT OF CONGRESSMAN HAROLD FORD
THE CHILD AND FAMILY SERVICES ACT OF 1975,
H.R. 2966/S. 622

In recent weeks leaflets have been distributed in Memphis and in other cities around the country which attempt to discredit "The Child and Family Services Act of 1975."

The leaflet purports to cite passages and quotes from the CONGRESSIONAL RECORD in describing the provisions of the bill. These leaflets are totally false and misleading. They bear absolutely no resemblance to this legislation. For example: one leaflet indicates that there is a Child Advocacy Clause in the bill which would allow the government to come into a home and take over the responsibility of a child. There is no such clause in the bill. Indeed, the bill specifically states in Section 504 that "nothing in this Act shall be construed or applied in such a manner as to infringe upon or usurp the moral and legal rights and responsibilities of parents or guardians with respect to the moral, mental, emotional, physical, or other development of their children".

The leaflet also indicates that there is a "Charter of Child's Rights" in the bill which would allow children to disobey their parents. The leaflet cites the CONGRESSIONAL RECORD in listing the child's rights. The Charter of Child's Rights did appear in the CONGRESSIONAL RECORD. On December 2, 1971, the Senate was debating a Conference Report on the Office of Economic Opportunity Act. This Act contained child care provisions. In the course of the debate Senator Carl T. Curtis of Nebraska stated, "In England, child development advocates have gone so far as to draft a Charter of Children's Rights". Curtis continued by reading from something he called "The Charter of Children's Rights" of the "British Advisory Center of Education and the National Council for Civil Liberties". By misleading citation the leaflet implies that this material appeared in the CONGRESSIONAL RECORD this year and that it represents the contents of the bill. There is no such Charter contained in this bill. I had never even heard of the Charter or this British group until I saw the leaflet and investigated the source of the CONGRESSIONAL RECORD statement.

This legislation is designed to provide the following services:

Proper prenatal care for mothers and health care for children to insure that they are not subject to handicapping conditions that could put them on welfare as adults;

Proper care for the children of working mothers who are desperately trying to stay off welfare;

Food programs to fight malnutrition which so quickly can ruin a child's body and mind.

In every instance, the Child and Family Services Act requires not only the parent's request for any service, but their participation in as many activities as possible.

As with any piece of legislation, this bill has supporters and opponents in the Congress. There is the question of whether the government should spend the amount of money this bill authorizes. There is the question of what services should be offered, and how they can be administered effectively and efficiently. These are the kinds of questions that must be debated and resolved by the Congress and the American people. They are precisely the issues which will be addressed by the Committee on Education and Labor when it considers this legislation.

The debate about this bill or any bill must be based on facts. This legislation provides needed services to help:

The over 200,000 children who are struck each year by handicaps because their mothers had not received early health care;

The 65 percent of all handicapped preschool children who do not receive special services to help them overcome their handicap;

The 40 percent of all young children of this country who are not fully immunized against childhood diseases;

The working mothers of the five million children for which there are no spaces in licensed day care centers (statistics furnished by the U.S. Senate Subcommittee on Children and Youth).

I want the people of Memphis to know the facts about this legislation. The person or persons who have prepared these leaflets—anonously, I might add—are using scare tactics and outright lies in a campaign to deceive the people of Memphis.

There are really two issues here. One is the bill itself, whether or not I should support it based on the facts. The other issue is this smear campaign against the bill.

The first issue I can handle. I am always ready to hear opposing views from my constituents on any piece of legislation. My job is to inform my constituents to the best of my ability, to solicit their views, and to insure that when I cast my vote, it is a vote for Memphis.

The second issue, the distribution of these leaflets, is one that I cannot handle alone. For that reason I want to call upon the members of the press to investigate these leaflets. Take a hard look at these leaflets and compare to it the bill itself. The people of Memphis deserve to know the facts.

Thank you.

After I made this statement, the press did indeed examine the bill against the claims of the leaflet. The following editorial appeared in the Commercial Appeal in Memphis on January 26, 1976:

SMEAR ON CHILD CARE

An anonymous, unfounded campaign is being conducted across the country against a bill that would provide comprehensive day-care services for children. Claiming that the bill would take away the authority of parents over their own children, the campaign has tried to arouse anger and fear with fabrications and malicious implications contained in a widely circulated unsigned flyer.

The flyer quotes from statements in the Congressional Record, implying both that the opinions expressed are facts and that the information is current. But the quotes seem to have been pieced together from various statements made on Dec. 2, 1971, during a debate on an earlier child-care bill.

For one thing, the Record is a ponderous work of fiction. Although its essential purpose is to report everything that is said and done in congressional sessions, it also includes just about anything the congressmen choose to insert. Speeches, excerpts from books, newspaper stories and editorials and a host of other miscellaneous matter choke the Record like Amazonian undergrowth. The rhetoric is grandiose and occasionally impressive, but any assumption of accuracy or factualness is ridiculous.

The bill in question, which is titled the Child and Family Services Act of 1975, has many reasonable, responsible critics. It has been challenged on grounds of cost, duplication and possible psychological harm to children caused by institutional care and day-long separation from a parent. Supporters argue that the bill would strengthen low-income families by providing the children with the care and experiences they need for normal development and by giving mothers a greater opportunity to raise their families' standards of living through work. The immediate issue, however, is the smear campaign. Until that is thoroughly discredited, it will be difficult for Congress to deal with the merits of the bill. One indication of the highly emotional controversy stirred up by the flyer is the fact that the bill's Senator sponsor, Democrat Walter Mondale of Minnesota, has received about 2,000 letters a week about it.

The flyer states, "The Charter of Children's Rights of the National Council of Civil Liberties is becoming part of the Child Development Act." That's a flat lie, unless the "act" referred to is not the Mondale bill. Such a possibility can't be discounted because of the flyer's deviousness. The national council is a British lobbying group. The flyer continues, "Following are four of the several items proposed in this charter (as taken from the Congressional Record 44138 . . .)." They include assertions that children should be protected from inadequacies in their homes, from religious or political indoctrination (presumably by parents) and from "excessive claims made on them," which the flyer construes as encompassing household chores.

A grim prospect, indeed. But Mondale's office says no such charter or statement of rights has been proposed for the bill, nor would he approve of it. The Record quote comes from the 1971 debate, in which Sen. Carl Curtis (R-Neb.) cited the national council's charter during an attack on what he called the "child development" school of thought. He warned about the possibility of day-care centers becoming "child warehouses" as a "logical extension of that kind of rhetoric." The word "rhetoric" referred grammatically to the charter not the bill.

Curtis did not say that the charter was becoming a part of any Child Development Act. Curtis told The Commercial Appeal that, while he opposes Mondale's bill on grounds of excessive federal regulation, he has not seen the flyer and could not comment on its contents. Other critics of the bill have specifically denounced the flyer. Onalee McGraw of the National Coalition for Children, which argues that the bill's approach to child development favors special-interest education groups, called the smear tactics counterproductive and a barrier to "true debate."

The flyer also attributes to the Record a statement that child advocates appointed by the government would be able to take over the education of children, "even within the home." In a careful reading of the 1971 debate, we could not find the quote. But there were pages of inserted comment, some of which had nothing to do with the earlier bill itself. Some, for instance, dealt with child-care programs in other countries. Be that as it may, Mondale's office says his bill does not contain the words "child advocate" or propose such a position.

In fact, the bill bans any infringement on the "moral and legal rights and responsibilities of parents or guardians with respect to the moral, mental, emotional, physical or other development of their children." The proposed child-care services would be designed, set up and supervised by local councils, of which half the members would be parents with children in the program. The children would receive only those services that parents requested.

The Child and Family Services Act deserves an open, honest debate. The flyer is an underhanded, suprious attempt to play on the emotions of uninformed parents. It deserves nothing but ridicule. This is one more example of the danger of accepting as fact the material printed in the Congressional Record—material that can even be amended by congressmen if they have second thoughts about what they've said or inserted.

Although this editorial calls into question the credibility of articles appearing in the Record, I would like to note that the statement I have just made is an accurate account of the events which have transpired in regard to this bill.

I sincerely appreciate this opportunity to speak to you today.

[From the Congressional Record--Senate, January 27, 1976]

CHILD AND FAMILY SERVICES: FALSE INFORMATION HURTS VALID DEBATE

Mr. ABOUREZK. Mr. President, there has been a great deal of recent controversy about S. 626, the child and family services bill. Unfortunately, an unsigned "smear sheet" containing completely false information about this proposal has received wide circulation.

Like many of my colleagues, I have received numerous letters from concerned constituents, alarmed at what they had read. Once lies and false attacks have received wide distribution, refutation and emphasis on the real issues becomes all the more difficult.

For that reason, the Rapid City, S. Dak., Journal has performed a valuable service in pointing out in a recent editorial that repeating the discredited information obscures the real debate which should be taking place about day care and services available to families.

I am a supporter of S. 626. But there are no doubt improvements that could improve the legislation and policy and economic questions which must be fully explored. That is the point made by this excellent, well-reasoned editorial, and I commend it to my colleagues.

Mr. President, I ask unanimous consent that the text of the editorial from the Rapid City, S. Dak., Journal, January 5, 1976, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FALSE INFORMATION HURTS VALID DEBATE

Things are not always what they seem.

That's the case with a widely-distributed leaflet which seeks to whip up opposition to child-care legislation now pending in Congress.

The leaflet cites nonexistent provisions in the bill and asserts the proposal would give the government, not the family, basic responsibility for bringing up children.

Some of the material in the leaflet is drawn from what opponents said during debate on a similar bill in 1971. Other material suggesting the bill would give children the right to disobey their parents is drawn from a proposal unsuccessfully promoted several years ago by a British group. It has nothing to do with the bill which has been introduced in Congress.

Primary sponsors of the bill have called the leaflet a deliberate attempt to spread false information.

Opponents of the child care bill say the scare campaign is hurting their cause because it affords the opportunity for proponents to label all opposition as being ultra-conservative and coming from "kooks."

There seems to be enough reasons for solid debate on the child care bill without injecting false information into the discussions.

The proposed legislation would provide federal funding to support many types of comprehensive child-care programs. It carries a \$1.85 billion price tag for the initial three years.

Sponsors have stressed participation in any child care program funded under the bill would be completely voluntary and parents would make up half of the membership of any group setting policies for these programs. The bill also states the family is the primary influence on child development and bans any interference with the "moral and legal rights" of parents.

Opposition to the bill centers around its stated cost and what it could escalate to; the belief the American people have not reached a consensus that the federal government should provide the kind of mass developmental day-care for pre-school children envisioned in the bill; that the federal government should not be in partnership with parents in the rearing of children and that regulations devised to implement the bill may go beyond the intent of the legislation.

The valid issues advanced by both proponents and opponents of the bill seem to furnish enough fuel for valid debate on the Child and Family Services Act. Persons who wish to express their opinions to their congressmen, should be sure they are based on solid information rather than an unfounded piece of propaganda circularized anonymously.

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[From the Congressional Record--Senate, February 6, 1976]

CHILD AND FAMILY SERVICES ACT

Mr. CULVER. Mr. President, in recent weeks my office and those of other Members of Congress have been receiving letters and telephone calls from constituents who are very concerned about S. 626, the Child and Family Services Act.

Their concern is largely based on unsigned mimeographed literature which falsely claims that this measure would lead to the "Sovietization of the American family" by giving Government parental responsibility for millions of children, prohibit parents from providing religious training to their children, and give children the legal right to disobey their parents without "fear of reprisal." These inflammatory allegations are absolutely and totally false.

The material also states that a "Charter on Children's Rights," from the British Advisory Center for Education and the National Council of Civil Liberties in Great Britain, and the so-called "Child Advocacy Clause" are part of the Child and Family Services Act. This claim is again completely unfounded and untrue. Neither of these documents nor any part of them is included in S. 626.

S. 626, a bipartisan bill, would make available parent-controlled voluntary basic health, education, and other child care services. It authorizes a flexible system which would allow communities to develop their own programs according to their own needs on a totally voluntary basis. It would provide services for working people who need child care programs and want these opportunities for their children, but often cannot afford them.

This legislation is widely supported by over 100 religious and civic organizations including the PTA, the National Education Association, the U.S. Catholic Conference, the United Methodist Church, and the Child Welfare League of America.

There is, of course, room for legitimate disagreement on such legislation, but it is unfortunate that the organized attack against the bill is largely based on misrepresentation of the provisions and purposes of the Child and Family Services Act.

For this reason, I feel that Members of Congress and the public should judge this measure on its merits, based on the facts; and I think it might be of interest for those concerned to read an editorial from the Cedar Rapids Gazette and one from the Minneapolis Tribune, which was reprinted in the Des Moines Tribune. These editorials set the record straight on the misconceptions that have been created.

I ask unanimous consent that the editorials be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Cedar Rapids (Iowa) Gazette, Feb. 1, 1976]

CHILD CARE DISTORTION

One of several possibilities for better day-care service being studied by congress is a bill called the child and family services act. It would provide federal funding for a new program of comprehensive services of care for children whose parents are away at work—all on a completely voluntary basis.

The bill proposes an expansion of federal spending at a time when budget cutting and election-year considerations overshadow other kinds of concerns. It faces a veto if enacted. The timing is doubtful and prospects of passage are currently dim.

In view of all this background, plus the basically good motive of providing better lives and opportunity for youngsters otherwise confronted with neglect or deprivation, another thing about the bill is most surprising: why it has come under fire as the worst threat to American ideals since Marx put communism on the board.

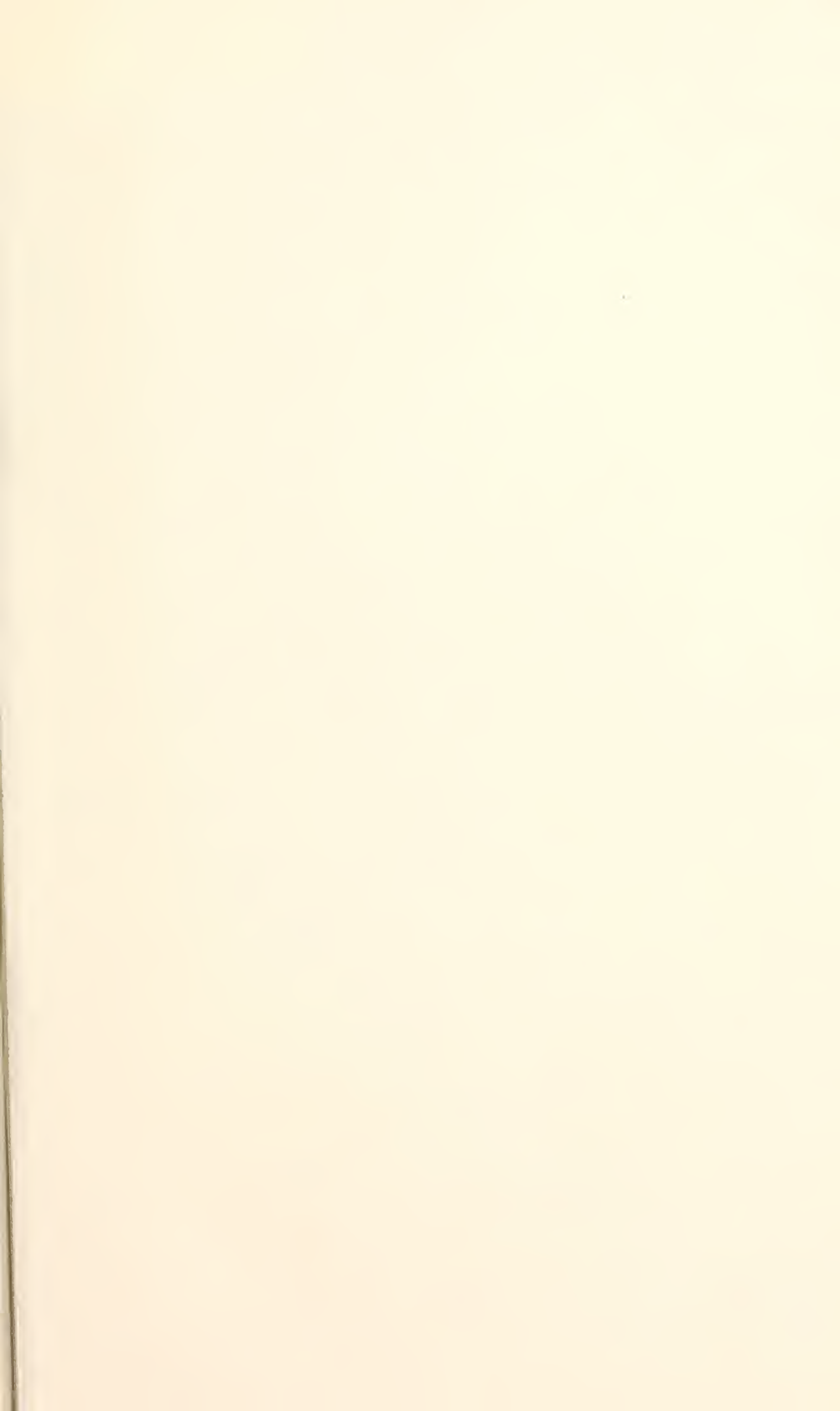
Legitimate objections from reasonable critics paint the day-care promotion, understandably, as a weakening of family fabric a move toward government control in the rearing of children. Printed, fliers circulating widely in this part of the country—unmarked as to source—distort that to a point that strains the credibility.

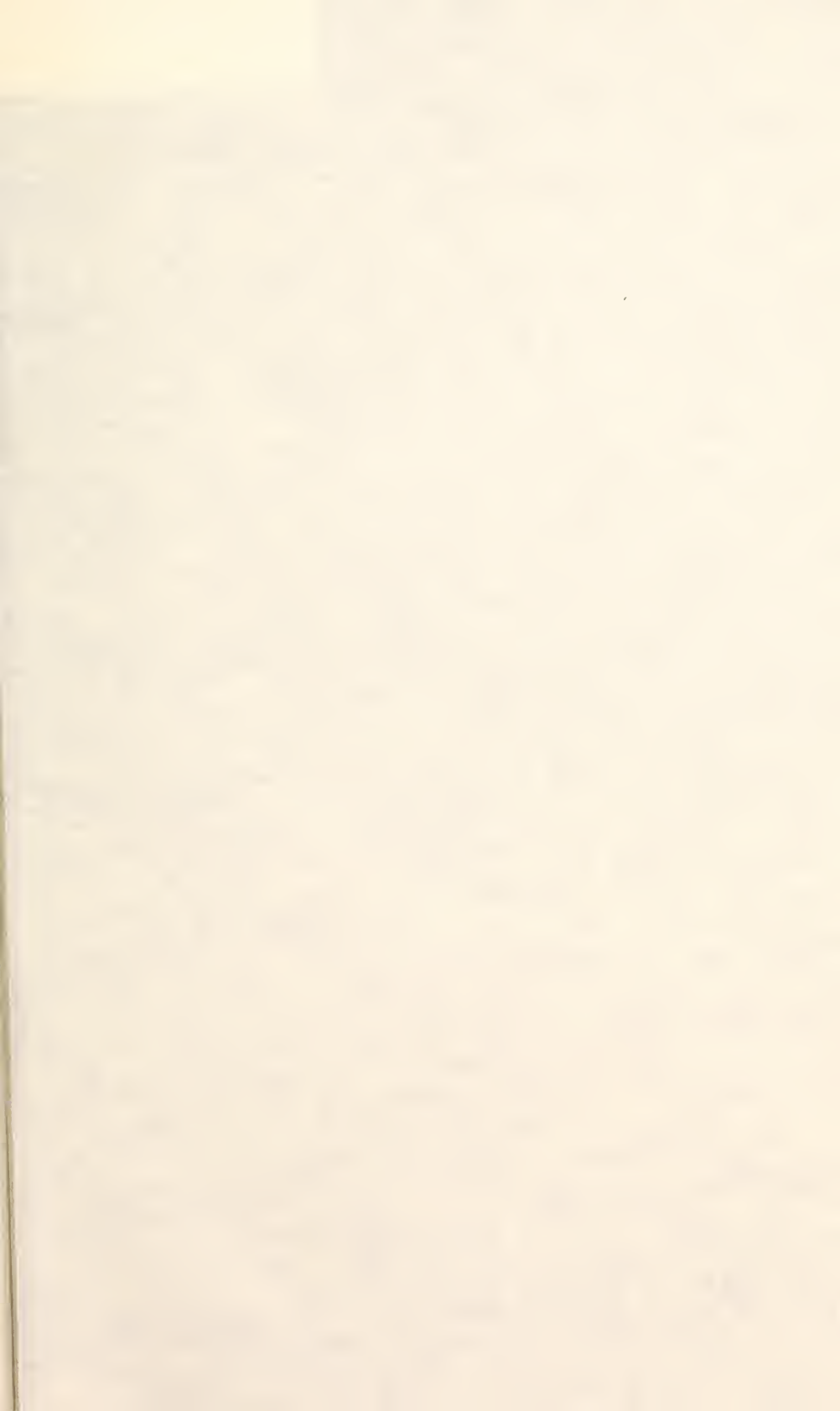
To quote one example, allegedly drawn from the Congressional Record:

"As a matter of the child's rights, the government shall exert control over the family because we have recognized that the child is not the care of the parents, but the care of the state. We recognize, further, that not parental but communal forms of upbringing have an unquestionable superiority over all other forms."

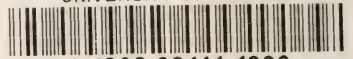
Manifestly, that is utter fabrication. No congressman could sponsor such a piece of infamy, let alone vote for it, and ever pull two dozen votes again. Factually, the bill itself asserts that nothing in it can be "constructed or applied in such a manner as to infringe upon or usurp the moral and legal rights and responsibilities of parents or guardians" or to permit "any invasion of privacy otherwise protected by law."

Realistically, the child care proposal answers a need, raises no dire threat and grows out of respectable motives but stands little chance of going far very soon on its merits, all pressures considered. What bids to be the biggest lie since Goebbels masterminded Hitler's is a useless contribution to debate, deserving nothing but contempt from earnestly concerned Americans on either side of the issue.





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